

SENATE

SATURDAY, February 9, 1929

(Legislative day of Thursday, February 7, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed a bill (H. R. 16714) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1930, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 3581. An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia;

H. R. 13484. An act authorizing preliminary examinations of sundry streams with a view to the control of their floods, and for other purposes;

H. R. 13502. An act authorizing the State of Minnesota and the State of Wisconsin to construct, maintain, and operate a free highway bridge across the St. Croix River at or near Stillwater, Minn.;

H. R. 14146. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a free highway bridge across the Monongahela River, in the city of Pittsburgh, Allegheny County, Pa.;

H. R. 14164. An act granting the consent of Congress to the city of Knoxville, Tenn., to construct, maintain, and operate a free highway bridge across the Tennessee River at or near Henley Street, in Knoxville, Knox County, Tenn.;

H. R. 14451. An act to revive and reenact the act entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania";

H. R. 14460. An act authorizing the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Sioux City, Iowa;

H. R. 14469. An act granting the consent of Congress to the county of Allegheny, Pa., to construct a bridge across the Youghiogheny River between the borough of Versailles and the village of Boston, in the township of Elizabeth, Allegheny County, Pa.;

H. R. 14481. An act granting the consent of Congress to the Chicago South Shore & South Bend Railroad to construct, maintain, and operate a railroad bridge across the Grand Calumet River at East Chicago, Ind.;

H. R. 14919. An act granting the consent of Congress to the commissioners of Mahoning County, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Cedar Street, Youngstown, Mahoning County, Ohio;

H. R. 15072. An act to extend the times for commencing and completing the reconstruction of the bridge across the Grand Calumet River at Burnham Avenue, in Cook County, Ill.;

H. R. 15084. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near Reedsdale Street, in the city of Pittsburgh, Allegheny County, Pa.;

H. R. 15269. An act to extend the times for commencing and completing the construction of a bridge across the Red River at or near Coushatta, La.;

H. R. 15427. An act authorizing and directing the Secretary of War to lend to the Governor of North Carolina 300 pyramidal tents, complete; 9,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; and 9,000 bed sheets to be used at the encampment of the United Confederate Veterans to be held at Charlotte, N. C., in June, 1929; and

H. R. 15470. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a free highway bridge across the Cumberland River in the vicinity of Harts Ferry, Trousdale County, Tenn.

PETITIONS AND MEMORIALS

Mr. WALSH of Massachusetts presented the following resolutions adopted by the State Senate of Massachusetts, which were referred to the Committee on the Judiciary:

THE COMMONWEALTH OF MASSACHUSETTS,
IN THE YEAR 1929.

Senate Resolution 256, requesting Congress to take action for the repeal of the eighteenth amendment to the Federal Constitution, known as the prohibition amendment

Whereas there was placed on the official ballot used in 36 of the 40 senatorial districts of the Commonwealth at the State election in November, 1928, under the provisions of sections 19 to 22, inclusive, of chapter 53 of the General Laws, the following question:

"Shall the senator from this district be instructed to vote for a resolution requesting Congress to take action for the repeal of the eighteenth amendment to the Constitution of the United States, known as the prohibition amendment?" and

Whereas a plurality of the votes cast in 34 of said 36 districts was in favor of such instruction; and

Whereas the total affirmative vote on said question in said 36 districts was 707,352; the total negative vote on said question in said districts was 422,655; and the total number of persons voting at said election in said districts who did not vote on said question was 310,244: Accordingly be it

Resolved, That the Senate of the Commonwealth of Massachusetts, in view of the vote taken as aforesaid under the statutes of the Commonwealth, and the results of said vote, respectfully requests Congress to take action for the repeal of the eighteenth amendment to the Constitution of the United States, known as the prohibition amendment; and be it further

Resolved, That the clerk of the senate be directed to transmit to the Presiding Officers of both branches of the Congress of the United States and to the Massachusetts Members thereof duly certified copies of these resolutions.

WILLIAM H. SANGER, Clerk.

A true copy. Attest:

WILLIAM H. SANGER, Clerk.

Mr. WATSON presented the following concurrent resolution of the Legislature of the State of Indiana, which was referred to the Committee on Finance:

A concurrent resolution requesting the Congress of the United States to appropriate funds for the establishment of a United States Veterans' Bureau general hospital within the State of Indiana for honorably discharged ex-service men of this area

Whereas the World War veterans' act of 1924, as amended, provides that "the Director of the United States Veterans' Bureau is authorized to furnish hospitalization and necessary traveling expenses to veterans of any war, military occupation, or military expedition since 1897, not dishonorably discharged, without regard to the nature or origin of their disabilities: *Provided*, That preference to admission to any Government hospital for hospitalization under the provisions of this subdivision shall be given to those veterans who are financially unable to pay for hospitalization and their necessary traveling expenses"; and

Whereas as a result of the above enactment of Congress there has been a substantial increase of admissions to hospitals, and as this increase of admissions is expected to continue for years to come; and

Whereas in this area, comprising the States of Indiana, Kentucky, Ohio, Michigan, and Illinois, there is at this time an acute and increasing need for general hospital facilities, and as the State of Indiana has not been allowed a United States Veterans' Bureau hospital, while in each of the States bordering Indiana there have been United States Veterans' Bureau hospitals established; and

Whereas, as Indiana is the center of population of the United States, a nucleus of the agricultural and industrial elements, the greatest railroad center of the world, and easily accessible by highways, there is probably no area within the United States comprising States that potentially serve such a large number of ex-service men; and

Whereas a United States Veterans' Bureau general hospital located within the State of Indiana would economically serve approximately 1,000,000 ex-service men who are residents of this area; and

Whereas the savings alone in transportation would be of such stupendous amount, because of the central location and because of serving such a wide area, the institution should be of such proportions as to meet the present acute and increasing needs, so that the large necessary expenditure will be an economic one: Therefore

Be it resolved by the Senate of the State of Indiana (the House of Representatives concurring)—

SECTION 1. That the United States Government is hereby respectfully urged and requested to provide the necessary funds for the establishment of a United States Veterans' Bureau general hospital at some convenient place within the State of Indiana, of such capacity as to afford adequate hospital facilities for persons entitled to treatment in such hospitals in the area consisting of the States of Indiana, Ken-

tucky, Ohio, Michigan, and Illinois. The United States Senators and Members of Congress from this State are hereby urged to use all honorable means to secure the establishment of such a hospital in the State of Indiana.

SEC. 2. That the secretary of state is hereby directed to send certified copies of this resolution to each of the United States Senators and each Congressman from Indiana.

EDGAR D. BUSH,
President of the Senate.
JAMES M. KNAPP,
Speaker of the House of Representatives.
HARRY G. LESLIE,
Governor of the State of Indiana.

Approved January 28, 1929.

Mr. SHEPPARD presented a resolution adopted by the Texas Reclamation and Drainage Association, at Corsicana, Tex., favoring the passage of the bill (S. 4689) to provide for the making of loans to drainage or levee districts, and for other purposes, which was referred to the Committee on Irrigation and Reclamation.

JUDICIAL PROCEDURE IN EUROPEAN COUNTRIES

Mr. NORRIS. Mr. President, sometime ago I introduced a bill providing for the establishment of a new court and invited the attention of the Senate to it. I have now an article written by Hon. Edward J. Henning, United States district judge for the southern district of California, a very interesting article which bears rather directly on the subject. In the article he gives his observations as a result of an examination of the courts, particularly of England and Germany. I ask unanimous consent that the article may be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the article was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

OBSERVATIONS OF JUDICIAL PROCEDURE IN EUROPEAN COUNTRIES

By Edward J. Henning, United States district judge for the southern district of California

On July 21, 1928, I sailed on the *George Washington* for Cardiff, Wales, where I landed on July 30. After spending a week in the British Isles, two weeks in Germany and Austria, and a week in Paris, I sailed for home from La Havre, France, on August 29.

The month of August seems to be preeminently a month of court vacations throughout the Temperate Zone. The courts of Great Britain, of Germany, Austria, and France were in vacation as a rule while I was in those respective countries. Minor courts were in session everywhere, and in Frankfurt on the Main, Germany, about one-third of the courts of all grades were functioning.

Most American lawyers are fairly familiar with the British judicial system. Four years ago I made a more or less intensive study of the British system in London. American lawyers are accustomed to reading considerable in the literature of their craft about the doings of the courts in the British Isles and on occasion hear a British lawyer or judge deliver an address before some bar association of which they are members. In 1924 the associations of the English-speaking bars of the world met in conference at London. About 2,000 American lawyers attended. Many American lawyers who failed to attend the conference have read the reports thereof.

The procedure of the courts of the different European countries I visited vary greatly from each other. All are in sharp contrast with our own general scheme of procedure. However, I found several things which seem to characterize European procedure of all countries and which are quite distinct from ours.

The most striking thing I observed in all the countries I visited is the commanding position of the judge and the rather unimportant position of the lawyer while a court is in session. Again, while without exception, judges and lawyers of European countries wear gowns and other regalia typical of their position, and while there is much formality in that regard, the proceedings themselves in court are very much more informal in European countries than in America.

Another outstanding feature I noticed in all the countries of Europe which I visited is the fact that judges have an unlimited tenure of office when once permanently placed upon the bench. It is probably because of that feature that there has developed with the passing of the years in European countries the relatively reversed relation to a trial, as compared with our own, of the lawyer and the judge.

The most striking thing that came to my attention was the discovery of the fact that since the establishment of the German Republic there are no jury trials in that country. The jury system, largely founded by the Germanic people, has been abolished lock, stock, and barrel in Germany. There is no exception to that rule.

In the city of Cardiff, Wales, I learned from a judge of a minor court there that the practice of shifting judges in the British Isles from one locality to another is extensively indulged in and is a part of the fundamentals of the British system. This particular judge advised

me that he expected to sit in London in the fall. His statement to me in substance was that while the power exists in some authority to shift judges of the lower courts and courts of first instance at will, that the wishes of the individual judge are consulted and that the system works without friction or discontent, so far as the bench is concerned. He advised me that the theory of it all is that the judge, holding a position for life, is not interested in anything having to do with litigation except justice and that he can function best to that end when he is a stranger to litigants, jurors, and bar.

While much of American jurisprudence comes to us from England, and while the principles and rules of law of the two countries are very similar, so far as substantive law is concerned, there is really very little similarity in the operation of the courts of the two countries. Generally speaking, such a comparison is to our disadvantage. Most of the rules of practice, the rules governing the operations of the courts, which we imported from England, were based upon conditions existing in that country several centuries ago. They were intended to protect the individual against autocratic and tyrannical governments.

The principal changes of the British system of court procedure have come in the last quarter of a century. These English reforms were the result of more than half a century of agitation and tentative legislation and it is to be noted that the principal reform was brought about by those who were strangers to our craft. The criminal appeals act of England is beyond question the outstanding reform in British legal history and unquestionably the thing which has brought about the greatest distinction between English criminal court procedure and our own. The bar generally opposed this reform. The layman brought it about.

This court of criminal appeals, by virtue of practicing what the statute authorizes it to do, has liberalized and modernized to a great extent criminal trials in the courts of first instance in England. This court is given broad discretion. It rarely sends a case back for a new trial. The criminal appeals court is authorized to make any change in the verdict of the jury and the sentence of the court which, in its opinion, should be made in the interest of justice. It may shorten the sentence; it may lengthen the sentence; it may set it aside entirely. It may hear witnesses and take additional evidence to clarify some point. Because of this broad power of the criminal appeals court appeals have been greatly reduced in number, even though appeal has been made very simple.

Recently considerable comment has been made by writers and speakers regarding the varying sentences imposed by different judges of courts of the same type and jurisdiction, as for example, the United States district courts upon convictions for crime under the same statute. Some judge will impose a small sentence or grant probation under the same statute and under the same circumstances under which another judge will impose the maximum imprisonment sentence. One effect of the English appeals court in criminal cases is to equalize sentences coming from various courts of the same jurisdiction. This makes for a degree of certainty and definiteness as to sentence throughout the British Isles.

I observed in Germany that a rather similar condition exists in criminal matters although under a wholly different system. Criminal cases are tried in Germany in a court of original jurisdiction and a defendant may have an appeal from the trial court of first instance to an intermediate court by simply announcing upon conviction that he desires an appeal. The court to which he appeals tries the case de novo and has a wholly free hand to deal with the matter as though it had never before been in a court. Simple as these appeals are, the fact is that they are not invoked in a large per cent of cases. I was present at a criminal trial in a court of second instance at Frankfurt where a case was considered, involving husband and wife, based on a charge of fraudulent practices. They had been sentenced to serve six months in prison. Just before proceeding to trial and after the case had been called defendants' attorney asked for a conference with the prosecutor and the court took a short recess. Upon reconvening defendants' attorney announced to the court that the defendants desired to withdraw their appeal and accept the sentence of the court of first instance. This being a right the court made an order accordingly. Defense counsel explained to me the reasons for this action and mentioned among several that the defendants felt that should they be found guilty in this court the sentence, no doubt, would be made much more severe.

In Austria I was unable to witness any court in operation for the reason that all the courts at Vienna, except petty police courts, were in vacation. I learned there that the jury system is very extensively used and under the Republic every citizen is qualified to serve as a juror, practically speaking. The criticisms I heard in that country with reference to criminal matters were very much like the criticisms we hear in this country. It is said that juries are entirely too much inclined to acquit those charged with crimes and that many guilty people escape punishment.

A trial in the English courts is a much simpler proceeding than in our courts. Objections to the receipt of testimony are rare. The lawyer has performed his labors largely in his office and prior to the trial and has communicated to the court his written memorandum or brief. The English have largely lost the psychology which is so prominent in the

mind of the American lawyer, namely, that anything said by anyone in court will prejudice the mind of the juror to the extent that he can not render a fair verdict. The English juror is largely taken into the group who are trying to ascertain the facts and there is no great effort to keep the juror in a glass case. The public prosecutor is regarded as a quasi judicial officer and he conducts himself in that character.

Four years ago I was in London while a very famous murder trial was on. It was the sordid story of a young married man of some standing in the business world who was charged with having killed a mistress in some cottage in the country where they had lived. The evidence was circumstantial. However, after the Government rested the accused took the stand, admitted the death of the woman by virtue of a fight, but claimed that she accidentally stumbled and fell, striking her head on the andirons of the fireplace, which caused her death. The jury found him guilty. Thereupon the prosecutor made public the record of this man, including three prior convictions, two of them under serious charges. The prosecutor explained that these facts were not brought out on cross-examination of the defendant because it was felt that under so serious a charge—murder—the jury should be permitted to decide the facts regardless of the character of the defendant under all the circumstances.

The trial of a civil case in an English court is not unlike the meeting of a board of directors of some successful American corporation, were it not for the formal clothes worn by bench and bar. The judge takes the part of the president and chairman of the board and the whole proceeding is rather informal.

The American visitor, familiar with American court practice, is usually astounded when he observes a jury trial in that country, particularly in the matter of summing up the case to the jury. The English bar has brilliant orators, as has every bar I know anything of. There one hears some brilliant addresses to the jury, but how different these addresses are from the feature orations of American lawyers to a jury in a criminal case. The English lawyer is concise and precise in his argument to the jury and never gets away from the evidence. The outstanding "address" to the jury, however, is made by the judge. He sums up the evidence, suggests helpful details to the jury as to how to go at the consideration of the evidence, and indicates what to him seems the crux of the case and what the evidence seems to indicate in that regard. He carefully advises the jury, however, that they are the sole judges of the facts.

The lawyer is still less prominent at a trial in Germany. I did not witness many trials of an important nature there, but in all of them, with two exceptions, which I attended the lawyers stood at the bar throughout the trial. A table was provided in the courtroom, but practically no chairs inside of the bar or rail. Witnesses and lawyers stood before the bar throughout the proceedings and tables were used only for the accommodation of lawyers' brief cases. As before stated, there are no juries in Germany. Every trial I attended, with one exception, was presided over by a senior judge, accompanied by either one or two junior judges, and in every instance by two lay judges. The exception noted is a special court dealing solely with controversies between landlord and tenants and cotenants in city dwellings. This court was created to furnish relief in connection with a very serious housing shortage. It consists of one judge and two laymen. The laymen for this court, which is also an exception, must be one representative of the landlord class and one representative of the tenant class. In all other instances the laymen are chosen regardless of their occupation and serve only in one case per six months or year. They are drawn in a manner somewhat analogous to our method of selecting jurors. The selections are made by certain authorities of the community and two laymen are assigned each day to each court. There are no challenges of laymen provided.

The presiding judge examines the witnesses and invariably asks them to tell their story in their own way. Usually the witness spoke rapidly and wandered far afield, being brought back to his story from time to time by the presiding judge. No record was taken of what the witness said. When the witness had concluded the judge dictated to the reporter in a few well-chosen words the substance of the witness's testimony, which was taken either in shorthand by the reporter or directly on a typewriter. Thereupon the judge would have the testimony read to the witness and the inquiry made whether or not that was his testimony in substance. Sometimes the witness made a correction which sometimes was included in his testimony by the order of the judge and sometimes not. The lawyer for the one or the other of the parties sometimes made a suggestion to the court as to something in the testimony of the witness, either suggesting that the judge had not understood it entirely correctly or suggesting that some further inquiries be made of the witness along certain lines. The judge would acquiesce in the request or deny it, as his judgment dictated.

When the examination of witnesses had been concluded counsel for both sides very briefly and in conversational tone and standing at the bench would briefly call attention to the true meaning of the testimony, and often would suggest that other witnesses should be called who might cover a certain point or that certain of the witnesses had an important interest in the case. I noted that the party to the suit had the right to testify, but not under oath.

In all civil trials which I attended the court would take the matter under advisement or, rather, return to chambers without comment and would render its judgment whenever it was ready. In a majority of cases of a civil nature the trial is had by installments, often involving adjournment of several weeks.

In cases where counsel suggested that additional witnesses should be called the court would determine in chambers whether or not the evidence was sufficient as it stood and call additional witnesses at some future day if it found that the evidence was not sufficient. A three-fourths vote of the members of the court is necessary to find a judgment.

One of the criticisms, made largely by the judges, of the present German system which came to me a number of times was the fact that if the two laymen stood together they could compel the three judges to look at the matter as they did to reach a verdict, and that the laymen frequently so act, and the public, if dissatisfied with a decision, will criticize only the judges, even though the laymen forced the decision and the regular judges sitting alone would have reached a different decision.

The ethics of the German system require that a lawyer have no contact or interview with a witness to be called by either side. He takes the statement of his client as to the probable testimony of given witnesses and prepares his brief of the law and facts in advance on that basis and submits the brief in the record a required number of days after the case is at issue and a required number of days before a possible trial. In his brief he gives the court the names of the witnesses he desires to have present and the court provides for their attendance.

The European lawyer finds it difficult to comprehend the American dual system of courts—Federal and State. The American Constitution, of course, has no parallel in Europe, and that is the reason. They are much confused, when studying our system, to learn that the 48 States each has its independent system and a supreme court, and that over the same territory there is a wholly separate and complete system of courts called the Federal courts without any apparent connection between the two. It is my observation that most European lawyers who have any knowledge of our system consider the Federal system alone and assume that somewhere the State courts fit into it.

No doubt the practice in the Federal courts more nearly resembles the practice in the English courts than does the practice in the courts of any one of our States. The distinction very largely consists in the broader powers in the conduct of a trial exercised by a Federal district judge than by the judge of any court of first instance of any State. It seems to me that the criticism of the American courts by laymen is addressed almost wholly to the State courts, and particularly to the trial of criminal cases.

By way of a general comment I may say that it is my impression that the greatest outstanding phase in which English courts are more efficient and more effective than the American is in the field of criminal jury trials and in the matter of reviewing criminal jury trials by courts of appeals. In substantially all other respects the American system compares very favorably with that of any other country and has many outstanding phases of superiority as compared with the system of all the rest of the world. After spending 30 years in the courts of the United States, both State and Federal, as a trial lawyer, as prosecuting attorney for the United States, and as a United States district judge, I feel that the American jury system is the outstanding feature of American jurisprudence. The longer I deal with courts and juries the higher I respect the verdict of a jury. The outstanding flaws in our jury system, or rather the outstanding phases which bring about criticism, are not the fault of the jury system itself. The fault lies in the first instance with the judges and in the second instance with the statutes and rules governing the operation of courts, particularly in the States. The remedy lies not in doing away with the jury system but in getting at the faults.

In the 60 years last past the United States was metamorphosed from an agricultural country into the most marvelous industrial people of all time. American labor receives the highest wages of any country in the world, and yet American business successfully competes with any of them. The reason is that we have thrown away old standards of business, old conceptions of industrial relations, old interpretations of economic laws, and have built anew so successfully that the rest of the world stands, contemplates, and is astounded.

And while this marvelous progress has been made in manufacture, in trade, in industry, in commerce, in every material line, our courts operate to-day substantially under the same rules and the same statutes as to practice that they did a century ago. They need to get into step with the rest of American civilization. If the lawyers are unable to do this, the American business man will.

The other day in perusing one of the "century" numbers of the Spectator, that old English weekly, I found in it a clipping which was taken from the number of the Spectator of November 15, 1828—a century ago. It is a discussion in a few words of the workings of the courts in India where native jurors were being employed in the courts and commenting upon the rapid progress made by the natives in adopting the English judicial system. The following words are as true to-day

as they were a century ago and are as applicable in the United States of America as anywhere else in the world. We read:

"Whatever in a well-regulated commonwealth may be the value of the institution of juries as compared with that of sole, responsible judges, there can be no doubt that, in the case of India, as in that of every country which want to be civilized, the first is much to be preferred. It diffuses a knowledge of the principles of justice, and accustoms the people to interest themselves in the administration of it, and to look upon themselves in some measure as its guardians. The purposes of justice might have been secured perhaps as well by judges without juries; but the purposes of civilization would not have been so well answered."

SELFRIDGE AVIATION FIELD

Mr. VANDENBERG. Mr. President, there have been some disagreements in connection with the War Department housing bill, H. R. 13825, regarding the expansion and development of Selfridge Field, the great Federal air field in southwestern Michigan. I understand the argument has now been settled in favor of Selfridge Field and that the Committee on Military Affairs is now prepared to restore authorizations heretofore stricken from the bill. I have various documents here from the War Department and others bearing upon the utility and the importance of Selfridge Field, which should be permanently preserved and which I ask may be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

FORT BENNING, GA., February 3, 1929.

Senator ARTHUR VANDENBERG,

United States Senate, Washington, D. C.:

Development of Selfridge Field in accordance with present plans is of utmost importance. It affords immediate aerial defense for great industrial district and permits reinforcement to either coast within 24 hours. It also affords valuable training facilities for operations in low temperatures.

F. TRUBEE DAVISON,
Assistant Secretary of War.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF THE AIR CORPS,
Washington, February 4, 1929.

Hon. ARTHUR H. VANDENBERG,

United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your question reference to the reasons why the Air Corps has developed Selfridge Field as a station for the First Pursuit Group, the following is submitted:

This pursuit group is the only independent pursuit group in the Air Corps and has station at Selfridge Field. This location is very excellent from a tactical and strategical point of view for the reason that these air troops are within easy flying distance from all three coasts; that is, they are approximately 4½ hours from New York and about 9 hours from Florida, 12 hours from the Gulf and Mexican borders, and 24 hours of flying time from the Pacific coast. This enables these troops, in case of emergency, to be moved to the necessary front in the minimum amount of time.

The field is also excellently located from a technical point of view, as it is the only station where we are able to carry on training of pilots in cold weather, and, in addition, special developments of motors, landing equipment, and other particular equipment required by very cold climates.

Selfridge Field is an excellent station for aerial gunnery and bombing training, inasmuch as it is closely located to the range at Oscoda, Mich., where this work can be carried on any time of the year. Most of the other Air Corps stations are located in close proximity to denser populated areas and it is exceedingly difficult to provide bombing and machine-gun ranges without the troops flying a long distance to a point where such a range is available. At Selfridge Field this training can be carried on without difficulty.

Selfridge Field is located in the vicinity of one of our most highly developed industrial areas, and in case of war with a particular country this location would be of exceptional advantage. There is no question but what during a war a large amount of aircraft material would be fabricated in this district, and the First Pursuit Group with such other air troops as would be stationed there in time of war would form a nucleus for the defense of this area.

The Government has already invested a large amount of money in the procurement of the property and for temporary construction. It has recently completed 5 large permanent barracks and 30 noncommissioned officers' quarters at a cost of approximately \$760,000. If this field is abandoned this investment will be completely lost.

The selection of Selfridge Field as a permanent home for the First Pursuit Group was made after detailed study and investigation, and it is believed to be an ideal location for these units of the Air Corps, and should be retained by all means.

In case appropriations were not available to complete Selfridge Field and it is necessary to abandon this station, I would recommend the procurement of another station in the immediate vicinity of this locality.

Very truly yours,

J. E. FECHET,
Major General, Air Corps, Chief of the Air Corps.

DETROIT, MICH., February 5, 1929.

Senator ARTHUR H. VANDENBERG:

Deeply regret the attempt of certain interests to eliminate or take away pursuit aviation from Selfridge Field and State of Michigan. Climatic conditions and location plus geographical advantages of Selfridge demand wholehearted support of both Congress and Senate in not only maintaining present status but improving pursuit aviation, which in time of hostilities will always be scouting and fighting branch of our service.

E. V. RICKENBACKER.

DAYTON, OHIO, February 4, 1929.

Senator ARTHUR VANDENBERG,

Senate Office Building:

Understand effort is being made to abandon Selfridge Field. It is my firm conviction that Selfridge Field, due to its extreme changes in weather conditions, its location on Lake St. Clair, which affords a gunnery range at the field, its proximity to Oscoda, an excellent field gunnery range, and to Detroit, the leading city in the production of aircraft, is the best location in the United States for an active and ambitious tactical unit of the Air Corps. Too much stress can not be placed upon the great advantage for training under real service conditions afforded by the cold and variable weather at Selfridge. Furthermore, it is one of the finest airdromes in the country. With best personal regards.

MAJOR LAMPHIER.

(Quotations from memorandum to the Chief of the Air Service, dated November 25, 1924, from Maj. F. G. Lamphier, on the subject of the retention of Selfridge Field)

Selfridge Field to-day is the best airdrome in the United States. This landing field has been used almost daily for two years, and there never has been a time when it was not possible to take off and land at Selfridge Field, a record which few, if any, of the airdromes in the United States can duplicate.

Selfridge Field presents the best opportunities for daily gunnery practice of any field in the United States. This gives us an opportunity to test our machine guns, to conduct preliminary target practice, and to keep our armament personnel familiar with the upkeep and maintenance of our armament.

The proximity of the field to Lake St. Clair is another big advantage during peace time as well as during time of war, as it affords an opportunity to combine seaplane activities with land planes at this field.

REFUNDS OF INTERNAL-REVENUE TAXES

Mr. McKELLAR. Mr. President, there have been several suggestions about the proposed tax-refund amendment on the deficiency appropriation bill. I ask unanimous consent to insert in the RECORD at this point another proposal which may be of benefit to the conferees.

There being no objection, the proposed amendment was ordered to be printed in the RECORD, as follows:

Provided, That no part of funds herein or hereafter provided for tax refunds where the claim is in excess of \$10,000 shall be paid out until the Joint Committee on Internal Revenue Taxation shall, after holding public hearing, at which both the taxpayer and the Government shall be represented personally or by counsel, approve the payment of such claim or claims. The said Joint Committee on Internal Revenue Taxation is hereby invested with full power to examine into, pass upon, approve, in whole or in part, reject, in whole or in part, such claim or claims. The Commissioner of Internal Revenue shall furnish in the case of every claim a full statement of facts as found by him concerning such claim, and the said Committee on Internal Revenue Taxation shall have access to all papers, affidavits, and other instruments in the files regarding such claims. Said Committee on Internal Revenue Taxation, or their duly authorized representative or representatives, shall examine into such records, is authorized to hear additional proof, if deemed to be necessary in the fair and just settlement of such claims, shall file a succinct statement of the facts, together with their conclusions on the law and facts, which findings of fact and opinion shall be a public document.

REPORTS OF COMMITTEES

Mr. BINGHAM, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 100) to provide for appropriate military records for persons who, pursuant to orders, reported for military duty, but whose induction or

commission into the service was not, through no fault of their own, formally completed on or prior to November 11, 1918, and for other purposes, reported it with amendments and submitted a report (No. 1685) thereon.

He also, from the same committee, to which was referred the bill (S. 4708) to amend the act of May 24, 1928, entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War, reported it without amendment and submitted a report (No. 1698) thereon.

Mr. BROOKHART, from the Committee on Military Affairs, to which was referred the bill (H. R. 14153) to authorize an additional appropriation of \$150,000 for construction of a hospital annex at Marion Branch, reported it without amendment and submitted a report (No. 1686) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (H. R. 11722) to establish a national military park at the battle field of Monocacy, Md., reported it with amendments and submitted a report (No. 1695) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 264) for the relief of Margaret I. Varnum (Rept. No. 1696); and

A bill (S. 4274) for the relief of James Evans (Rept. No. 1697).

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

A bill (S. 5511) granting the consent of Congress to the Hawesville & Cannelton Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River (Rept. No. 1687);

A bill (S. 5548) to extend the time for commencing and the time for completing the construction of a bridge across the Potomac River (Rept. No. 1688);

A bill (S. 5554) to extend the times for commencing and completing the construction of a bridge across the Allegheny River at or near Oil City, Venango County, Pa. (Rept. No. 1689); and

A bill (H. R. 13593) granting the consent of Congress to the villages of East Dundee and West Dundee, State of Illinois, to construct, maintain, and operate a footbridge across the Fox River between East Dundee and West Dundee, Ill. (Rept. No. 1690).

He also, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted a report, as indicated:

A bill (H. R. 14479) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio;

A bill (H. R. 15382) to legalize a trestle, log dump, and booming ground in Henderson Inlet near Chapman Bay, about 7 miles northeast of Olympia, Wash. (Rept. No. 1691); and

A bill (H. R. 16162) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near New Orleans and Gretna, La.

Mr. ODDIE, from the Committee on Naval Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 12390) for the relief of Frank C. Messenger (Rept. No. 1692);

A bill (H. R. 12666) for the relief of William S. Shacklette (Rept. No. 1693); and

A bill (H. R. 15577) to authorize the Secretary of the Navy to dispose of material to the sea scout department of the Boy Scouts of America (Rept. No. 1694).

Mr. McMASTER, from the Committee on Claims, to which was referred the bill (H. R. 9285) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death, reported it with amendments and submitted a report (No. 1699) thereon.

ENROLLED BILL PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on this calendar day that committee presented to the President of the United States the enrolled bill (S. 3581) authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORRIS:

A bill (S. 5750) to amend section 649 of the Revised Statutes, as amended; to the Committee on the Judiciary.

By Mr. THOMAS of Idaho:

A bill (S. 5751) granting a pension to Thomey J. Willis; to the Committee on Pensions.

By Mr. KING:

A bill (S. 5752) authorizing the Uintah, Uncompaggre, and the White River Bands of the Ute Indians in Utah and Colorado and the Southern Ute and the Ute Mountain Bands of Ute Indians in Utah, Colorado, and New Mexico to sue in the Court of Claims; to the Committee on Indian Affairs.

By Mr. McNARY:

A bill (S. 5753) for the incorporation of the Klamath Tribe of Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. HALE:

A bill (S. 5754) to amend the merchant marine act of 1928; to the Committee on Commerce.

A bill (S. 5755) granting an increase of pension to Nancy M. Bearce (with accompanying papers); and

A bill (S. 5756) granting an increase of pension to Lillian H. Durgin (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5757) to amend paragraphs (c) and (d) of section 9 and paragraphs (a) and (b) of section 10 of the act of Congress entitled "An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes," approved March 3, 1925; to the Committee on the District of Columbia.

A bill (S. 5758) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.; to the Committee on Commerce.

A bill (S. 5759) granting a pension to Anna Wynn (with accompanying papers); to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 5760) for the relief of E. M. Davis; to the Committee on Claims.

By Mr. HAYDEN:

A bill (S. 5761) for the relief of John W. Adair; to the Committee on Claims.

By Mr. WAGNER:

A bill (S. 5762) for the relief of George B. Marx; to the Committee on Claims.

A bill (S. 5763) granting an increase of pension to John Hutcheson; to the Committee on Pensions.

By Mr. SACKETT:

A bill (S. 5764) granting the consent of Congress to E. T. Franks, his successors and assigns, to construct, maintain, and operate a bridge across the Ohio River approximately midway between the cities of Owensboro, Ky., and Rockport, Ind.; to the Committee on Commerce.

By Mr. DALE:

A bill (S. 5765) granting an increase of pension to Emma S. Stevens (with accompanying paper); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 5766) for the relief of Andrew T. Bailey; to the Committee on Claims.

By Mr. BLAINE:

A bill (S. 5767) to amend the act entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Seminole Indians may have against the United States, and for other purposes," approved May 20, 1924, as amended; to the Committee on the Judiciary.

By Mr. BARKLEY:

A bill (S. 5768) authorizing the Secretary of War to award the Congressional Medal of Honor to Elmer C. Roberts, Julian I. Hickson, Kelley Ballard, Martin L. Gore, Thomas E. Carroll, Chester A. Hewitt, Richard Shinnors, Norman C. Oleson, and David P. Hart; to the Committee on Military Affairs.

PROPOSED PENSION TO MARY VON ESDORF

Mr. OVERMAN submitted an amendment intended to be proposed by him to House bill 16878, granting pensions and increase of pensions, etc., which was referred to the Committee on Pensions and ordered to be printed.

HOUSE BILL REFERRED

The bill (H. R. 16714) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1930, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

CHANGE OF REFERENCE

On motion of Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 4756) for the relief of Capt. William Cassidy, and it was referred to the Committee on Claims.

THE SENATE MANUAL

Mr. CURTIS submitted the following resolution (S. Res. 324), which was considered by unanimous consent and agreed to:

Resolved, That the Committee on Rules be instructed to prepare a new edition of the Senate manual, and that there be printed 2,500 copies of the same for the use of the committee, of which 300 copies shall be bound in full morocco and tagged as to contents.

THE LEGAL BUSINESS OF THE GOVERNMENT

Mr. NORRIS. Mr. President, I have an address delivered by the Hon. William D. Mitchell, Solicitor General of the United States, on The Legal Business of the Federal Government, which I ask unanimous consent may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

THE LEGAL BUSINESS OF THE FEDERAL GOVERNMENT

(An address by the Hon. William D. Mitchell, Solicitor General of the United States, broadcast by radio, under the auspices of the American Bar Association, January 15, 1929, by the National Broadcasting Co.)

The National Broadcasting Co. and associated radio stations have extended their facilities to the American Bar Association for a series of short addresses on the administration of justice in the United States, so that the public may be better informed on the subject and of the work that is being done by the bench and bar of America toward the solution of the problems in this field. The purpose of the association is to stir a greater interest among the people generally on this important subject. It is easy to interest you in legislative and executive matters, but not so easy to hold your attention in matters dealing with the administration of justice. This is because that subject is more technical and you are prone to be content to leave the solution of its problems to lawyers and judges. Our purpose is to bring home to you in this series of short addresses how closely the administration of justice affects the lives and happiness of all the people and to enlist your support for all means to improve it.

As this is the first of the series, a word about the American Bar Association will not be out of place. That is an association of lawyers and judges from all the States, Territories, and insular possessions organized about 50 years ago, with a present membership of nearly 30,000. Glancing over the list of former presidents of the association these names stand out among that distinguished group of great lawyers: Joseph H. Choate, Frank B. Kellogg, William Howard Taft, Elihu Root, George Sutherland, John W. Davis, and Charles Evans Hughes.

And there is a long list of other distinguished lawyers whose names are familiar to us all. The president of the association for this year is the Hon. Guernsey Newlin, a distinguished lawyer of California, and the secretary of the association is the Hon. William P. MacCracken, of Illinois, better known to you, no doubt, as our active and efficient Assistant Secretary of Commerce in charge of commercial aviation.

The purpose of the Bar Association is disinterested. Its constitution states that its principal object shall be to advance the science of jurisprudence and to promote the administration of justice and uniformity of legislation. The association meets annually, but continuously throughout each year its committees work actively and without financial reward to better our legal system, improve our laws, and make this a better country for us to live in.

To-night, I have been asked to speak about the legal business of the Federal Government, how it is conducted by the Department of Justice of the United States, and how it touches closely the affairs of all the people. This may seem like a dry subject, but it is worth your while to know something about it. Who knows how soon you may be involved in a legal controversy with the Government, if you are not so involved already?

If you are a taxpayer, or an importer, or engaged in interstate commerce, or performing Government contracts, or selling the Government merchandise, or you have a policy of war-risk insurance, or are interested in public lands, or in being naturalized as a citizen, or in immigration matters, you may have legal business or litigation with the Government and come in contact with the lawyers of the Department of Justice, and, of course, if you are considering using the mails to sell blue-sky securities, or defrauding the Government, or dealing illegally in narcotics, or robbing a national bank, or smuggling, or transporting stolen motor cars in interstate commerce, or are a bootlegger you may well expect to, and we sincerely hope you shall, come in contact with the Department of Justice and have, I trust, an interesting and lively experience.

We have, as you know, a dual system of laws, those enacted by the States and those enacted by Congress. To-night we are considering only the administration of justice in the Federal courts and the enforcement and application of the laws of the United States.

The Department of Justice is not all in the city of Washington. Here are its headquarters and its chief officers, but it has officials and agents throughout the United States. All United States attorneys and their assistants throughout the United States are in this department, discharging their duties under the direction of the Attorney General of the United States.

At the head of the Department of Justice is the Attorney General, now Hon. John Garibaldi Sargent, of Vermont. Next to him comes the Solicitor General of the United States, whose functions I will speak of in a moment. The work of the Department of Justice is placed in various divisions, each headed by an Assistant Attorney General.

There is the division known as the antitrust division, having charge of antitrust and commerce act cases and various other related matters, now headed by the Hon. William J. Donovan, Assistant to the Attorney General, of whom you have all heard, an able lawyer and a distinguished veteran of the World War, and who has enforced the antitrust laws in a constructive way. There is the administrative division, headed by Assistant Attorney General John Marshall, of West Virginia, who has been the Attorney General's right-hand man in all administrative matters. There is the division of taxes and prohibition, headed by the Assistant Attorney General, Mrs. Willebrandt, a sound lawyer and a woman of good judgment. There is the division in charge of defense of suits against the United States in the Court of Claims, headed by Assistant Attorney General Galloway; the division in charge of public lands and Indian affairs, headed by Assistant Attorney General Parmenter; the division in charge of criminal prosecutions, headed by Assistant Attorney General Lohring; the division in charge of admiralty, shipping litigation, war-risk insurance, and many other related matters, headed by Assistant Attorney General Farnum; the division in charge of customs cases, with headquarters at New York City, headed by Assistant Attorney General Lawrence; the division dealing with pardons and paroles and all applications for Executive clemency, and there is a bureau of investigation, whose duty it is to investigate and collect evidence of alleged offenses against the laws of the United States. These Assistant Attorneys General have general supervision over the conduct of the Government's legal business, civil and criminal, in the lower Federal courts, subject, of course, to the general direction of the Attorney General.

The policy of the department during the administration of Attorney General Sargent has been toward what may be called home rule; that is, allowing the United States attorneys in each State and Territory, and who are familiar with local conditions, to be responsible for and have control of the Government's business in their respective districts with as little interference from Washington as possible.

The Attorney General is a member of the President's Cabinet, and his legal adviser, and because of his vast administrative duties has not time to conduct cases in court. He supervises the vast administrative machinery of the department, renders opinions to the President and to the heads of executive departments, makes recommendations to the President on the appointment of judges of the Federal courts and other officials of the Department of Justice. In my judgment, the Executive has no more important single function than that of appointing judges of the Supreme Court and of the inferior courts of the United States, and the Attorney General has a grave responsibility in assisting the President in that matter.

The Solicitor General is by statute made Acting Attorney General in case of the absence or disability of the Attorney General. His principal function, however, is supervision over the civil and criminal litigation of the Government in the appellate courts and particularly in the Supreme Court of the United States. He has charge of all the Government business in that court, which constitutes from 25 to 35 per cent of all the business before it.

Now, just how do Government cases arise in the courts? If it is a criminal matter, it may come to the attention of the United States attorney from some local source and he initiates the prosecution. The offense may be discovered by one of the executive departments of the Government, such as the Treasury Department, and it is then reported to the Attorney General and the Assistant Attorney General in charge of that branch of the work forwards the matter to the United States attorney of the proper district for action. In very important cases or in those in which special knowledge may be required special assistants are sometimes sent to the United States attorneys to aid them. Civil cases arise in many ways. If you think you have overpaid your taxes, or the Government owes you money, you bring a suit against the United States in a United States district court or in the Court of Claims, and lawyers from this department defend it. We may think you owe the United States money and the Attorney General then directs that suit be brought against you in the district in which you reside.

The vast scope of the criminal and civil matters that may arise in the courts under acts of Congress and take the form of litigated cases may only be touched upon here.

We have to deal with the acts to regulate commerce, the Sherman Antitrust Act and its amendments, with the Federal Trade Commission act, with the packers and stockyards act, and with a large mass of legislation dealing with interstate and foreign commerce.

There is the national prohibition act, the complicated system of income tax and other internal revenue laws, the tariff acts, law relating to admiralty and shipping matters, bankruptcy matters and crimes against the bankruptcy laws, civil-service matters, war-risk insurance held by veterans of the World War, cases arising under the national banking acts, the Federal reserve act, the Federal farm loan act, matters connected with insular and territorial affairs, minor regulations of commerce, such as the hours of service act, the 28-hour act, the safety appliance act, the quarantine acts, pure food acts, migratory bird treaty act, the acts relating to the public lands, forest reserves, Indian affairs, reclamation projects, and a vast amount of other legislation which brings the Government into contact with citizens and gives rise to litigation civil and criminal.

An enormous number of cases, civil and criminal, to which the United States is a party is always pending in the Federal courts. Your liberty or your property may at any time be involved in such litigation. The purpose of the United States and of the attorneys from the Department of Justice representing it in such cases is not merely to win. In that respect the Government differs from other litigants. It is usually litigating with its own people. It is inevitable that it should have a little advantage over its adversaries. Because it litigates with its own people, it has a responsibility which does not rest upon the average litigant. It can not afford to win at the expense of justice. There has long been a maxim here in the Department of Justice, attributed to one of my distinguished predecessors, Hon. Frederick W. Lehman, of Missouri, himself a former president of the American Bar Association, that the Government wins a lawsuit whenever justice is done to one of its citizens.

During the last three years, thirty-four times have we gone before the Supreme Court of the United States and expressed the opinion that a lower court was wrong in deciding some question in favor of the Government. In 33 of those cases the Supreme Court agreed with us. Fortunately, in the other, we had sense enough to submit the question to the judgment of the court. This does not mean that we in the department are easy adversaries. If we think the Government is right, and that you are seeking something you are not entitled to, the lawyers for the United States will contest your claim tooth and nail.

In another respect litigation with the Government is unique. A Government may not be sued without its consent. No claim against the United States, however just, may be asserted against it in its courts unless there is an act of Congress permitting such suits to be brought. In times long past that consent has been given grudgingly. In recent years there has been a tendency to let down the bars and to allow citizens to assert in the courts of the United States claims against their Government, and to have them judged by the same rules of law and equity that govern citizens in their business transactions with each other. That is as it should be, and as experience discloses defects in that system amendments to the laws are necessary to be made from time to time, to enable you to obtain complete and speedy justice in the courts in cases arising out of your dealings with your Government. Governments should be held to the same rules of business honesty as are citizens. In the end, Government operations will cost less if it is known that those doing business with it will receive their just dues on an ordinary business basis. The fear that such treatment will not be accorded tends to raise the prices to the Government for all that it requires.

Even if you have no Government litigation of your own, you are interested as a citizen and taxpayer in the proper administration of justice in litigation in which others are involved. You are entitled to the protection afforded by proper enforcement of the criminal laws, and you are interested in seeing that your fellow citizens pay their just dues into the common Treasury and do not extract from it something to which they are not entitled. For example, some two or three years ago there was a group of six tax cases in the Supreme Court of the United States on the outcome of which there depended some \$320,000,000 of Treasury funds. The outcome of litigation like that means something to the people of the country generally.

I think it may safely be said that there is no one executive department in the Federal Government that has more influence on governmental operations than has the Department of Justice. This is because that department, by the legal opinions it gives to the President and to the other executive departments, and by the position it takes in the courts on questions of law affecting governmental matters, has an enormous influence in guiding the operations of Government in all the departments and in establishing rules, by judicial decisions, which have a lasting effect upon the course of Government action. The people realize this. They seem to be more sensitive about conditions in this department than about those in some of the others. The administration of justice is not a partisan matter. I am glad to be able to say that during my more than three years of service as Solicitor General not once has any public official, Republican or Democrat, asked me to guide my action as Solicitor General by any political consideration.

Now, what does all this lead to? The point I have been trying to make is that the administration of justice in the Federal courts, in the application and enforcement of that vast system of laws enacted

by Congress under the Constitution of the United States is a matter vitally affecting the interests of every citizen, and anything which tends to improve conditions operates to the common benefit.

There are two main factors in the proper administration of justice—one is the personnel and the other is the system. If your judges are able and upright men and the attorneys for the United States are competent and skillful, good results may be obtained from almost any system of practice and procedure. On the other hand, however good the system may be, if the men selected to administer it are not of the right quality, the result is unsatisfactory. These two things you are interested in: First, that the men selected to fill positions in the Federal judiciary and in the Department of Justice throughout the United States are qualified for the places; and, second, that all possible improvements be made in the practice and procedure and in the system of laws under which these tribunals operate. It is in these matters that the American Bar Association is active. Its attention is continuously and persistently directed toward bringing about improvement in our laws and in the administration of justice.

There is always room for improvement. Not a session of Congress passes without committees of the bar association appearing before committees of Congress in support of legislative measures intended to improve the administration of justice, to reduce the expense of litigation, to save time in litigation, and to add to the facilities with which justice may be done. Only yesterday a committee of the association called at the Department of Justice in connection with proposed legislation to divide and reorganize the great eighth judicial circuit of the United States, with a view to expediting the disposition of cases in the Federal courts of that circuit and saving expense to litigants. We want you to take a greater interest in these things, to realize how intimately these matters affect the welfare of our country and the happiness of our people, and how much the stability of our institutions and the preservation of our liberties depend upon our courts and upon the proper administration of justice in them. With your greater interest aroused, we may then expect that whenever you have an opportunity at the polls, or in any other way to exert your influence, you will stand back of any effort by the American Bar Association, or by any disinterested and intelligent group of men directed toward the improvement of our laws and our methods for the administration of justice, and toward helping to preserve our liberties and institutions for our posterity.

THE CENSUS AND THE CIVIL SERVICE

Mr. BRUCE. Mr. President, I desire, if there is no objection, to have inserted in the RECORD an editorial from the St. Louis Post-Dispatch urging the adoption of the amendment which I offered to the census bill with a view to having the entire field force of the Census Bureau brought within the provisions of the Federal merit system of appointment.

The VICE PRESIDENT. Without objection, it is so ordered. The editorial is as follows:

CENSUS AND CIVIL SERVICE

Senator BRUCE, of Maryland, has offered an amendment to the census bill, now before Congress, providing for the appointment of special agents, supervisors, supervisors' clerks, enumerators, and interpreters subject to the civil service law. Its purpose is to remove the 1930 census from partisan politics and to insure an accurate count.

In its present form the census bill makes possible an orgy of patronage dispensing. Approximately 100,000 workers are needed in the field force and, unless some safeguard is placed in the law, the Director of the Census and his aides may make appointments for political purposes without any regard for qualifications for the work.

According to the National Civil Service Reform League, a reliable census was obtained in 1920 when, at the request of the Director of the Census, supervisors of the census were selected through the machinery of the United States Civil Service Commission. For the law to give the director such wide discretion might have less happy results next time.

Previous census takings, notably that of 1899, have been scandalously conducted. In 1890 Republican Members of Congress were permitted to choose the field force. A check of its work showed that in New York City large numbers of residents, often entire houses, had been omitted. The inference was that Republican census takers had deliberately underestimated the population of a Democratic city to reduce its membership in Congress. In 1900 in Maryland graveyards were canvassed to obtain additional representation in the house of delegates for the party in power.

Past experience has abundantly proved the desirability of Senator BRUCE's amendment, not only to assure an honest and reliable count, but to prevent the wasteful use of census funds.

DIVERSION OF COMMERCE FROM AMERICAN PORTS

Mr. WALSH of Massachusetts. Mr. President, in view of the recent reports submitted to the Senate in response to Senate Resolution 220, and the importance of the subject dealt with in such reports—the diversion of shipping from American to

Canadian ports—I ask that an editorial entitled "Canadian Discrimination," printed in the Washington Post Wednesday, February 6, may be inserted in the CONGRESSIONAL RECORD.

The editorial is as follows:

CANADIAN DISCRIMINATION

A well-defined difference of opinion between the Shipping Board and the Departments of State and Agriculture is expressed in a joint report submitted to the Senate Tuesday on the subject of diversion of shipping from American to Canadian ports. The Shipping Board and the two departments were joined in a study of conditions by the Interstate Commerce Commission, which functioned more or less as a neutral in furnishing statistical data, and which sides with the departments. All agree that there is diversion of shipping from American to Canadian ports, but the departments assert that its volume is not such as to warrant the Government in offending Canada by attempting retaliatory measures. The Shipping Board, however, takes the position that no matter what the volume of diversion may be it is up to the United States to protect its own shipping by modifying American rules to conform with Canadian practice.

In some respects the report loses force because of the division of opinion. The study was undertaken at the request of the Senate, according to a resolution passed last May, and while no action is anticipated during the present session in view of the imminence of adjournment, the matter may come up for discussion in connection with the tariff bill now being formulated by the House Ways and Means Committee. If the report had been positive in its recommendations, one way or the other, action in the matter might more readily have been obtained. Under the circumstances both those who believe that the United States should adopt retaliatory measures against Canada and those who believe otherwise will find comfort.

The report concedes the inequality of the arrangement by which Canadian ports are favored in the matter of mail rates, grain inspection, preferential customs regulations, and preferential schedules dealing with other parts of the British Empire. Against this situation, however, it is pointed out that a far greater volume of Canadian products is shipped through American ports, largely offsetting any disadvantages which American rail lines and shipping companies may suffer by reason of British imperial preference. In its minority report, however, the Shipping Board asserts that "the right to remedy rests on basic principles which justify their application and enforcement irrespective of statistical information concerning the extent of the consequences resulting from their violation."

A way has been opened for further debate on and consideration of the subject of diversion of shipping from American to Canadian ports. The friendship that exists between the United States and Canada should not be endangered by hasty or ill-conceived action, but, on the other hand, the shipping industry is entitled to every protection with which the Government can surround it. Congress must be the final judge of whether action is advisable or necessary.

LANDS FOR ADDITION TO BEAL NURSERY, EAST TAWAS, MICH.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10374) for the acquisition of lands for an addition to the Beal Nursery at East Tawas, Mich., and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McNARY. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McNARY, Mr. CAPPER, and Mr. SMITH conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. BINGHAM. Mr. President, I ask that the District of Columbia appropriation bill be laid before the Senate and proceeded with.

The Senate, by unanimous consent, as in Committee of the Whole, proceeded to consider the bill (H. R. 16422) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1930, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. BINGHAM. Mr. President, repeating my request of last evening, I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments may be first considered.

Mr. HARRISON. Mr. President, there are very few committee amendments, are there not?

Mr. BINGHAM. Not a great many.

Mr. HARRISON. I make no objection to the request of the Senator, but I do feel that bills of this nature ought to be read, at least a little, so that we may know something about them.

The VICE PRESIDENT. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and it is so ordered.

Mr. HEFLIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Shipstead
Barkley	Edge	Keyes	Simmons
Bayard	Fess	King	Smith
Bingham	Frazier	McKellar	Steck
Black	George	McMaster	Stetson
Blaine	Gerry	McNary	Stephens
Blease	Gillett	Moses	Swanson
Borah	Glass	Neely	Thomas, Idaho
Bratton	Glenn	Norbeck	Thomas, Okla.
Brookhart	Goff	Norris	Trammell
Broussard	Greene	Oddie	Tydings
Bruce	Hale	Overman	Tyson
Burton	Harris	Phipps	Vandenberg
Capper	Harrison	Pine	Wagner
Caraway	Hastings	Pittman	Walsh, Mass.
Copeland	Hawes	Ransdell	Walsh, Mont.
Couzens	Hayden	Reed, Pa.	Warren
Curtis	Hefflin	Robinson, Ind.	Waterman
Dale	Johnson	Sackett	Watson
Deneen	Jones	Sheppard	Wheeler

Mr. JONES. I desire to announce that the Senator from Rhode Island [Mr. METCALF] is absent on account of illness.

Mr. NORRIS. I wish to announce that my colleague the junior Senator from Nebraska [Mr. HOWELL] is detained from the Senate on account of illness. I ask that this announcement may stand for the day.

Mr. FRAZIER. My colleague the junior Senator from North Dakota [Mr. NYE] is still detained from the Senate on account of illness. This announcement may stand for the day.

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent. I will let this announcement stand for the day.

Mr. TRAMMELL. I wish to announce that my colleague [Mr. FLETCHER] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty Senators having answered to their names, a quorum is present.

WAR DEPARTMENT APPROPRIATIONS

Mr. NORRIS. Mr. President, on yesterday, in the consideration of the War Department appropriation bill, I offered an amendment appropriating \$250,000 relating to the protection of the banks of the Missouri River at or near Niobrara, Nebr. I am informed by the Chief Clerk that the amendment which I sent to the desk, and which technically went into the bill when the amendment was agreed to, omitted to state the amount, \$250,000. In order to correct the omission I ask unanimous consent that the votes by which the amendments were ordered to be engrossed and the bill was ordered to a third reading and passed may be reconsidered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the votes are reconsidered.

Mr. NORRIS. I now ask unanimous consent that the vote by which the amendment was agreed to may be reconsidered.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NORRIS. I now ask that perfected amendment, with the numerals "\$250,000," be considered and agreed to, as I supposed had been done yesterday.

The VICE PRESIDENT. The amendment as perfected will be read.

The CHIEF CLERK. On page 79, after line 24, insert:

For bank protection for the control of floods and the prevention of erosion of the Missouri River at and near the town of Niobrara in the State of Nebraska, there is hereby appropriated the sum of \$250,000, or so much thereof as may be necessary; said work to be carried on under the control and supervision of the Chief of Engineers of the War Department: *Provided*, That the local interests shall contribute one-third of the cost of said work.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FEDERAL RESERVE BOARD FUND

Mr. HEFLIN. Mr. President, on yesterday I submitted the resolution (S. Res. 323) relating to funds of the Federal Reserve Board, and it went over at the request of the Senator from Kansas [Mr. CURTIS]. I hope there will be no objection to the consideration of my resolution this morning.

Mr. CURTIS. If there is to be no debate, I shall have no objection.

Mr. GLASS. Mr. President, reserving the right to object, I would like to inquire of the Senator from Alabama to what

particular action of the Federal Reserve Board his resolution would apply? I wonder if the Senator from Alabama knows that there has been no change in the rediscount rate of the Federal reserve bank since July of last year, now nearly eight months ago.

Mr. HEFLIN. I was under the impression that it was more recent, but I learned yesterday that the date was July, 1928.

Mr. GLASS. I wonder also if the Senator from Alabama is aware of the fact that there is on the calendar, and high up on the calendar, Senate Resolution 113, offered by the senior Senator from Wisconsin [Mr. LA FOLLETTE], of which the Senator's resolution is a paraphrase, and which was reported as long ago as last May from the Banking and Currency Committee of the Senate. I ask whether the Senator thinks, in the absence of the Senator from Wisconsin [Mr. LA FOLLETTE], that his resolution should take precedence?

Mr. HEFLIN. Certainly, Mr. President, the resolution of the Senator from Wisconsin was reported last May; but my resolution deals with the worst gambling scheme that has been inaugurated in this country in half a century. It is such a notorious situation that the Federal Reserve Board has felt called upon to issue a statement to stop this thing and to call on bankers to aid in doing so. My resolution merely asks the Federal Reserve Board to give the Senate any suggestions they have to make, or any information, in order that the Senate may know what it can do, if anything. I am not suggesting what should be done.

Mr. GLASS. Mr. President, if the Senator will permit me, I desire to say that what I am suggesting is that, in my view, it would be discourtesy to the Senator from Wisconsin, in his absence, to give precedence to a resolution that is a mere paraphrase of his resolution, which has already been favorably reported from the Committee on Banking and Currency, and is now on the calendar. If the Senator from Alabama will ask unanimous consent to consider and have passed the resolution of the Senator from Wisconsin, I shall have no objection.

Mr. HEFLIN. Mr. President, I did not know the Senator from Wisconsin had introduced a resolution of this kind.

Mr. GLASS. The resolution of the Senator from Wisconsin is almost textually in the words of the resolution of the Senator from Alabama.

Mr. HEFLIN. Mr. President, I introduced my resolution because of what I have been reading in the press, and because of the impression that I have that something is radically wrong in the gambling now going on that is draining the money out of the channels of legitimate business in every State in the Union.

Mr. GLASS. Mr. President, I quite agree with the Senator from Alabama that there is something going on which is wrong, and it has persistently gone on for the past two years. The resolution offered by the Senator from Wisconsin suggests that the Federal Reserve Board do just exactly what it has now belatedly done. Furthermore, it requests information from the Federal Reserve Board almost textually in the very language the Senator from Alabama now proposes to ask it.

Mr. SIMMONS. Mr. President, will the Senator from Alabama pardon me a moment?

Mr. HEFLIN. I will.

Mr. SIMMONS. Let me suggest to the Senator from Virginia [Mr. GLASS] that if the situation which the Senator from Wisconsin had in view when he offered his resolution has reached an acute climax in his absence, why not offer that resolution as a substitute for the resolution of the Senator from Alabama?

Mr. GLASS. Why should the resolution of the Senator from Wisconsin be offered as a substitute, when that resolution has been favorably reported by the Banking and Currency Committee, is now on the calendar, and will accomplish precisely the object that is proposed to be accomplished by the resolution of the Senator from Alabama?

Mr. SIMMONS. I agree with the Senator from Virginia, if we could now consider the resolution of the Senator from Wisconsin.

Mr. GLASS. We can consider it just as easily as we can the resolution of the Senator from Alabama.

Mr. SIMMONS. I would assist the Senator in trying to have it considered, but if we can not do that, and the resolution of the Senator from Alabama shall be taken up, then I would suggest that the resolution of the Senator from Wisconsin, being of the same text and purpose, be offered as a substitute for the resolution of the Senator from Alabama. It is certainly necessary that we should take some action in reference to the matter.

Mr. GLASS. Mr. President, if in order, in lieu of the proposition of the Senator from Alabama [Mr. HEFLIN] I ask unanimous consent that the Senate proceed to the consideration of

Calendar No. 1164, being Senate Resolution 113, submitted by the Senator from Wisconsin [Mr. LA FOLLETTE], favorably reported by the Banking and Currency Committee, and now standing high up on the calendar.

Mr. HEFLIN. Mr. President, I want to read the resolution of the Senator from Wisconsin. Nearly all of his resolution was stricken out, I presume, by the Banking and Currency Committee.

Mr. GLASS. No; none of the resolution of the Senator from Wisconsin was stricken out, but the preamble to the resolution was stricken out.

Mr. HEFLIN. Yes. The resolution—what little of it is left—now reads:

Resolved, That it is the sense of the Senate that the Federal Reserve Board should admonish all Federal reserve banks to take steps to advise against further expansion of loans by member banks for purely speculative purposes.

Then there were stricken out three more lines, going down to the second resolving clause of the resolution, which reads:

Resolved, That the Federal Reserve Board be directed to report to the Congress what legislation, if any, is required to prevent the future excessive use of the funds and credit of the Federal reserve system for speculative purposes.

The resolution offered by me reads in this way:

Whereas in press dispatches recently, the Federal Reserve Board has complained that money is being drawn from the channels of business and used for speculative purposes, and that some of said speculation is illegitimate and harmful; and

Whereas said Federal Reserve Board, in its efforts to correct what it regards as an evil in this matter, has increased the rediscount rate: Therefore be it

Resolved, That the Federal Reserve Board is hereby requested to give to the Senate its reason for increasing the rediscount rate and to give any other information and suggestions that it feels would be helpful in securing legislation necessary to correct the evil complained of and prevent illegitimate and harmful speculation.

The resolution of the Senator from Wisconsin undertakes to have the Senate advise the Federal Reserve Board what it should do with this fund while my resolution simply calls on the board to tell the Senate what it is that is going on to which it objects and to make any suggestion that it wishes to make that would be helpful to us in handling the matter. That is all. They are two different resolutions.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield.

Mr. CURTIS. Mr. President, we expect to adjourn to-night; and in that event, the resolution of the Senator from Alabama will come up in regular order on Monday. Will not the Senator allow it to go over until then? A recess having been taken last night, the resolution would properly go over until Monday, under the rules.

Mr. HEFLIN. I think it is a matter that ought to be acted on as early as possible.

Mr. CURTIS. One day's delay will not be harmful, and Monday morning the resolution of the Senator will come up in the regular order, and will be before the Senate in the regular way.

Mr. GLASS. Mr. President, I think the resolution of the Senator from Wisconsin ought to have been acted on in May of last year when the resolution of the Senator from Wisconsin was favorably reported by the Banking and Currency Committee.

Mr. EDGE. Mr. President, as a matter of fact, if I may interrupt the Senator from Virginia or the Senator from Alabama, if he has the floor, the so-called La Follette resolution provides that the Federal Reserve Board shall report to Congress—in fact, it directs them to do so—what legislation, if any, would be helpful in this situation. So, after all is said and done, that is all that could now be done, namely, obtain recommendations as to the desirability of possible legislation.

Mr. CURTIS. Mr. President, I hope the Senator from Alabama will allow the resolution to go over until Monday. It will not properly be before the Senate until that time, and we should like to go on with the appropriation bill.

Mr. HEFLIN. I allowed the resolution to go over on yesterday with the understanding that we would take it up this morning. I do not quite understand why the Senator from Virginia is so opposed to my resolution being acted upon.

Mr. GLASS. I am not opposed to the Senator's resolution being acted on, but I think it would be a distinct discourtesy to the Senator from Wisconsin to have another Senator's resolution take precedence of his resolution, which is now on the calendar with a favorable report and relates to exactly the same subject.

Mr. HEFLIN. Mr. President, I should like to amend the resolution of the Senator from Wisconsin by incorporating in it the first part of my resolution and ask that it be adopted. They cover different subjects.

Mr. CURTIS. I have no objection, if it can be done without debate; but I do think we ought to go on with the appropriation bill. The resolution can be considered on Monday.

Mr. HEFLIN. I offer my resolution as an amendment to the resolution of the Senator from Wisconsin.

The VICE PRESIDENT. Is there objection to the consideration of the resolution?

Mr. GLASS. Let it go over until Monday. I will confer with the Senator from Alabama and see if we can arrive at a satisfactory arrangement.

The VICE PRESIDENT. Objection is made. The resolution will go over.

Mr. HEFLIN subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD the La Follette resolution which was referred to this morning in connection with my resolution relating to the Federal Reserve Board, which I endeavored to have considered. I ask to have the part which was stricken out printed as well as the amendments made by the committee.

There being no objection, the resolution as submitted by Mr. LA FOLLETTE May 12, 1928, was ordered to be printed in the RECORD, as follows:

[Omit the part in black brackets and insert the part printed in italic]

Whereas the total loans secured by stocks and bonds of the 51 member banks in the New York Federal reserve district on January 11, 1928, reached the unprecedented total of \$3,819,573,000; and

Whereas the largest part of this sum is used for speculation on the New York Stock Exchange, as stated by the Federal Reserve Board in its annual report for 1926 as follows:

"The largest growth, both absolutely and relatively, was in security loans, which increased by about 66 per cent during the period. That to this growth in loans on securities represents to a considerable extent an increased volume of credit used in financing transactions in securities at the New York Stock Exchange is indicated by the rapid growth during the period of loans to brokers and dealers in securities in the New York market."

and

Whereas during the past year such speculative loans made through the Federal reserve system have increased more than a billion dollars, and during the past seven years more than \$3,000,000,000; and

Whereas the reports of the New York Federal Reserve Bank reveal that \$1,502,580,000 of these loans on stocks and bonds is for the account of out-of-town banks, representing credit transferred from other parts of the country to be used in New York for speculative purposes; and

Whereas the inevitable result of the utilization of the funds of the Federal reserve system for speculative purposes is to restrict the amount of credit available for legitimate commercial purposes, as is indicated by the fact that the amount of commercial paper outstanding as reported to the Federal Reserve Bank of New York actually decreased from a total of \$925,379,000 in October, 1924, to \$610,945,000 in October, 1927; and

Whereas the intent of the Congress in the creation of the Federal reserve system was to prevent its use for the encouragement of support of purely speculative operations, as is evidenced by the following paragraph of section 13 of the Federal reserve act:

"Upon the indorsement of any of its member banks, which shall be deemed a waiver of demand, notice and protest by such bank as to its own indorsement exclusively, any Federal reserve bank may discount notes, drafts, and bills of exchange arising out of actual commercial transactions; that is, notes, drafts, and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used, or are to be used, for such purposes, the Federal Reserve Board to have the right to determine or define the character of the paper thus eligible for discount, within the meaning of this act. Nothing in this act contained shall be construed to prohibit such notes, drafts, and bills of exchange, secured by staple agricultural products, or other goods, wares, or merchandise from being eligible for such discount, and the notes, drafts, and bills of exchange of factors issued as such making advances exclusively to producers of staple agricultural products in their raw state shall be eligible for such discount; but such definition shall not include notes, drafts, or bills covering merely investments or issued or drawn for the purpose of carrying or trading in stocks, bonds, or other investment securities, except bonds and notes of the Government of the United States": Now, therefore, be it

Resolved, That it is the sense of the Senate that the Federal Reserve Board should [immediately] admonish all Federal reserve banks to take steps to [restrict the] advise against further expansion of loans by member banks for purely speculative purposes. [and as rapidly as is compatible with the financial stability of the Nation require the contraction of such loans to the lowest possible amount; and be it further]

Resolved, That the Federal Reserve Board be directed to report to the Congress what legislation, if any, is required to prevent the future excessive use of the funds and credit of the Federal reserve system for speculative purposes.

DISTRICT OF COLUMBIA APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16422) making an appropriation for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1930, and for other purposes.

The Chief Clerk proceeded to read the bill.

Mr. BINGHAM. Mr. President, under the order heretofore agreed to, the formal reading of the bill was dispensed with.

Mr. DILL. I thought I objected to that request before the roll was called. I tried to do so.

Mr. BINGHAM. The order was entered yesterday evening. If the Senator will look at the RECORD, he will find that to be the case.

Mr. DILL. The Senator asked for such an order this morning.

Mr. BINGHAM. If the Senator will look at the RECORD, he will find the request was made yesterday, and it was so ordered.

Mr. DILL. I was acting on the Senator's request made this morning.

Mr. BINGHAM. It was my mistake, Mr. President.

Mr. DILL. I think the bill ought to be read. It is a very important measure and contains large appropriations.

The PRESIDING OFFICER (Mr. FESS in the chair). The first amendment reported by the committee will be stated.

The first amendment of the Committee on Appropriations was, on page 2, line 7, after the words "in addition," to strike out "\$9,000,000" and insert "\$10,000,000," so as to read:

Be it enacted, etc., That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1930, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, \$10,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1929, and all the remainder out of the combined revenues of the District of Columbia, and the tax rate in effect in the fiscal year 1929 on real estate and tangible personal property subject to taxation in the District of Columbia shall be continued for the fiscal year 1930, namely:

Mr. KING. Mr. President, I ask for an explanation from the Senator having the bill in charge as to the reason for this increase. Senators who are interested in this matter may have read the very able and convincing speech of Representative SIMMONS in the House of Representatives in regard to this item. I should like to know the reason why the Senate Committee on Appropriations changed the amount from \$9,000,000 to \$10,000,000, thus imposing an additional \$1,000,000 burden upon the Treasury of the United States.

Mr. BINGHAM. Mr. President, I shall be very glad to tell the Senator why the committee so acted. The Senator will recall that, under the suggestion of the late Representative Madden, the United States Bureau of Efficiency was requested to transmit to the Committee on Appropriations a report on the fiscal relations between the Government of the United States and the District of Columbia. On page 5 of the report of the Bureau of Efficiency the following comment is made:

We will say, however, that in our opinion the solution of the problem of fiscal relations lies in determining the Federal Government's liability toward the cost of operation and maintenance of the city of Washington, D. C., along two lines, namely, (1) its tax liability as a municipal taxpayer of Washington in connection with the ordinary costs of government of the municipality, and (2) its liability on account of the loss of revenue and on account of extraordinary expenditures occasioned by the fact that Washington is the National Capital.

Mr. CARAWAY. Mr. President, right there I want to ask the Senator a question. The Senator does not agree with either one of those statements, does he? He does not agree, in the first place, that the Government has a liability as a taxpayer, because it has no such liability; it does not pay taxes anywhere; and next as to the withdrawal of its property from the tax list. The Senator would not indorse either of those statements, would he? I am not now objecting to the \$10,000,000 appropriation, but I want to ask if the Senator would indorse either of those statements?

Mr. BINGHAM. The Senator from Connecticut thinks that the language employed was unfortunate, but he does agree with the idea underlying the language.

Mr. CARAWAY. The theory upon which the Government pays is simply one of donating to the District of Columbia as it might donate to any other cause, is it not? There is no other liability. The word "liability" means some legal obligation on the part of the Government.

Mr. BINGHAM. The committee believes that there is a certain liability on the part of the Federal Government to pay toward the cost of operating and maintaining the National Capital.

Mr. CARAWAY. I mean a legal obligation. Does the Senator think there is a legal obligation?

Mr. BINGHAM. Toward maintaining the expenses of the National Capital; yes.

Mr. CARAWAY. That is a legal liability, is it?

Mr. BINGHAM. The Senator is a lawyer and I am not, and I fear he is likely to get me into deep water.

Mr. CARAWAY. Very well; I will not ask the question. I was just trying to get the theory behind it. I beg the Senator's pardon.

The PRESIDING OFFICER. Without objection—

Mr. KING. Mr. President, I am not sure what the Chair means when he says "without objection." There is objection; we are discussing this amendment. The Chair is a little too premature, if the Chair will pardon me for so saying.

Mr. BINGHAM. The Senator from Connecticut desires to read a little further from the report of the Bureau of Efficiency, although he hesitates to do so in view of the objection just raised by the Senator from Arkansas. The report goes on to say:

The liability of the Federal Government as a municipal taxpayer—

Mr. SIMMONS. Mr. President—

Mr. BINGHAM. I yield to the Senator from North Carolina.

Mr. SIMMONS. I desire to say that I am entirely in sympathy with the liberality of the committee. I agree with the Senator from Arkansas that there is not any legal liability in a purely technical sense, but I think there is a moral liability which is just as strong as, if not stronger than, a legal liability.

Mr. BINGHAM. I agree with the Senator. There is no legal liability whatsoever.

Mr. KING. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield.

Mr. KING. In view of the statement made by the Senator from North Carolina, I do not quite understand what he means by the phrase "moral obligation." There is a legal and a moral obligation upon the property owners of the District of Columbia to pay a reasonable tax for the expenses of maintenance of the District of Columbia. When they pay a tax comparable to that paid by citizens of the United States generally, and there is a deficit left, then, in my opinion, the Federal Government should meet that deficit. I have always taken the position, however—and I think it is the sound and the just position—that the owners of property in the District of Columbia—and they are profiting enormously from the Federal expenditures here; more than \$150,000,000 is expended in the District annually—should pay a reasonable tax upon their property, tangible and intangible; and then, after that tax has been paid, if there were \$50,000,000 deficit—of course, I am just illustrating my point; there could not be that amount, of course—the Federal Government should pay it. But to say that there is any moral obligation upon the part of the Government to pay until the taxpayers, who are the beneficiaries of the generosity and the contributions and the expenditures of the Government, have paid the reasonable tax of which I have spoken, is something as to which I can not agree with the Senator from North Carolina.

Mr. SIMMONS. Mr. President, the Senator has said that if there is a deficit after the District has imposed reasonable taxation upon the property of its citizens, however large that deficit may be—nine millions, ten millions, or fifty millions—the Government should assume the balance. He admits some sort of an obligation, either a legal obligation or a moral obligation, of the Government; in the case he puts, an obligation to pay a much larger sum than is provided in the report of the committee.

I said there was a moral obligation. I base that statement upon broad principles, the first being that this is the Capital of the Nation, and all the people of the United States are interested in its government, in its progress, in its development. The Government has located here in the District property of enormous value that is not subject to direct taxation on the part of the people of the District of Columbia; and while the

District of Columbia may receive some benefit by reason of the Government's activities here, so the people of every other section of this country receive benefits from the activities of the Government, wherever those activities may take place.

It makes no difference, however, whether the obligation be legal or moral; the Senator from Utah admits that the Government is liable for whatever amount is necessary properly to conduct the government of the District of Columbia after the people of this District have paid upon their property a reasonable amount of taxation.

Mr. KING. Mr. President, if the Senator will pardon me, I made no such admission. I said I should favor it as an act of generosity.

Mr. BINGHAM. Mr. President, in connection with what has just been said, I desire to call the attention of Senators to Table 5 of the document entitled "Fiscal Relations Between the Government of the United States and the District of Columbia," as prepared by the Bureau of Efficiency, in which the situation in Washington is contrasted with the situation in other cities of similar size. They have taken some 12 or 15 American cities approximating Washington in size to show what the citizens of those cities have to pay in the way of taxation, and what they are confronted with in the way of exempt property.

It is pointed out in Table 5 that while the average ratio of exempt to taxable real property for all cities in the United States of this size, not including Washington, is 17.35 per cent, and while cities almost equal in size, like the city of Pittsburgh, which is a little bit larger, have a ratio of exempt-tax property of 17.26 per cent, and Buffalo, which is very nearly the same size, has a ratio of 17.33 per cent, and Newark, which is a little bit smaller, has a ratio of 15.29 per cent, and Minneapolis, which is about the same size as Newark, has a ratio of 15.06 per cent, if we count all Government property in Washington that is legally exempt the ratio is 54.09 per cent, or three times as much as in any other city of similar size.

Mr. CARAWAY. The Senator realizes that in that they take into consideration the streets and parks.

Mr. BINGHAM. Not the streets, Mr. President.

Mr. CARAWAY. I used to be on the town council, and that was the process then of reaching it; and I rather imagine they have not changed it.

Mr. BINGHAM. No, Mr. President; this is the report of the Bureau of Efficiency.

Mr. CARAWAY. I know; I read it. I think I know what is in it.

Mr. BINGHAM. If one takes away from the amount of exempt property that which is used by the Federal Government alone, and leaves merely that which is used by the District, and the parks but not the streets, one finds the proportion to be still 19.74 per cent, or a very considerable amount over that of the average city of this size.

Now, let us take these figures in a little bit different way.

The city of Buffalo has a population of 553,000. The city of Washington has a population estimated at 525,000; so that they are very closely related in size of population. In the city of Buffalo the total amount of exempt real property is \$178,000,000, in round numbers. In the city of Washington the total amount of exempt property is \$604,000,000. If we do not consider the amount used by the National Government itself, the amount still remains at \$283,000,000, or nearly \$110,000,000 more exempt property in Washington than in the city of Buffalo.

A similar comparison may be made with the city of Newark, which is a little bit smaller than Washington, where the amount of exempt property is only \$104,000,000.

It is for these reasons, Mr. President, that the committee believes that it is proper that the Federal Government should make a gift to the city of Washington, in lieu of any taxation—for which it may not be legally liable, but for which I entirely agree with the Senator from North Carolina it is morally liable—of an amount of money corresponding to the difference between what the citizens of any city in the United States of similar size have to pay and what the citizens of Washington have to pay.

The amount of \$1,000,000, I may say, is made up in this way: According to the statement of the Bureau of Efficiency—

Mr. COUZENS. What page is the Senator reading from?

Mr. BINGHAM. Page 5, at the present moment, of the pamphlet on the fiscal relations between the Government of the United States and the District of Columbia. On page 5 it is shown that if the Federal Government paid the local taxes on its real property, they would amount to \$5,452,767. If it paid such taxes on its tangible personal property, they would amount to \$1,536,315. Of course, to pay on all its intangible personal property would be a ridiculous thing, because of the enormous amount of that in the vaults of the Treasury; so the Bureau of

Efficiency took a figure equal to that of the tangible personal property, because of the fact that in most business concerns it has been found that the tangible personal property is about equal to the intangible personal property; and the taxation on that would amount to \$451,857, or a total of \$7,440,939.

That may be said to be the amount with which the United States Government might be properly charged as a taxpayer if it were a taxpayer. As a matter of fact, in the bill as it came from the House, and in the appropriation act under which we are operating for the present fiscal year, there is a lump-sum contribution of \$9,000,000. This leaves an amount of \$1,559,061 to be applied against other charges, not legal but moral or ethical, which may be made against the Federal Government.

The two principal items which may be considered in this connection are the loss of tax revenue on account of excess ordinary real property exemptions and, second, the cost of excess park acquisitions and maintenance.

The first of these items, the account of excess ordinary real property exemptions, I have briefly referred to; and it may be seen that over a city of similar size the city of Washington has an excess of something over \$110,000,000 worth of exempt property, apart from that owned and used by the United States Government, more than exists in similar cities. It seemed reasonable to the committee that a rate should be charged against this exemption which would amount, at the rate of 17 mills, to something like \$1,700,000, which more than uses up the difference in the lump-sum contribution between the \$9,000,000 and the \$7,440,000 which are held to be due as municipal taxes. Supposing that that cancels the one against the other, we then have the other item, the cost of excess park acquisitions and maintenance.

The Bureau of Efficiency have provided, on page 7, Table 1, of the document on Fiscal Relations, a statement with regard to park area and its relation to the population in regard to these cities of similar size, which seems to me to be very illuminating.

The cities nearest to Washington in size are the cities of Buffalo, Milwaukee, and Newark. In Buffalo, with a population of 553,000, there are 24,000 acres of land in the parks, or 1 acre of park to 332 of population. In Milwaukee the figure is 1 acre of park to 433 of population. In Newark it is 1 acre of park to 596 of population. Please bear those figures in mind and notice the difference. In Washington it is 1 acre of park to 140 of population. In other words, the park area in Washington is twice as large as that in cities of similar size. That is because this is the National Capital, and the parks here in a way are national parks. All the national parks are paid for by the Federal Government, without regard to taxation on the States in which they are located, or on the neighboring communities, and by looking over the appropriation bills and ascertaining the amount appropriated for the acquisition of parks and their maintenance, and deducting therefrom an amount which a city of similar size might properly be charged with, the committee finds the difference to be about \$1,000,000. That accounts for the \$1,000,000 which the committee added to the bill.

I hope that the Senate will agree with the committee that that is a fair allotment from the Federal Government to assist the city of Washington in maintaining the extraordinary burden of exempt property, the park property which is now maintained here because this is the National Capital.

Mr. TYDINGS. Mr. President, will the Senator yield a moment before he takes his seat?

Mr. BINGHAM. Certainly.

Mr. TYDINGS. I would like to call to the attention of the Senate, and get a word from the Senator in reply, to a situation which exists between Maryland and the District government.

Some time ago Congress passed an act creating a National Park and Planning Commission, and over in Maryland we were requested to create a similar commission, so that the two commissions could work together. I believe it is perfectly obvious that the time is near at hand when there will not be sufficient land in the District of Columbia of the kind we would like to have for parks in this vicinity. The suburbs are building up very rapidly. With that in mind the Maryland Park and Planning Commission extended theoretically Rock Creek Park, the addition consisting of 700 acres of ground, all in Maryland, and that property was offered to the District of Columbia without a cent of cost, with no charge whatsoever, dedicated and handed on a silver platter to the District of Columbia. Of course, the land is in Maryland, but it is an extension of Rock Creek Park.

The people of Maryland having given that land, which has an appraised value of a million dollars, to the District government for nothing, they felt that they had a right to ask the District government to build roads through it, not just to take it and do nothing with it at all. If they are going to do nothing with it, if they are not going to utilize it as a park, it is ob-

viously unfair to ask or expect the people of Maryland to part with the land.

The amendment covering that matter which I submitted to the Appropriations Committee for some reason or other did not receive favorable action at this session of Congress. I do not believe there is a section of land around Washington that is as desirable as an extension of the present Rock Creek Park. If it is not gotten in hand before it is developed, or built up or sold to some one who does not care anything about the park, and it is wanted later, it will be practically impossible to acquire it.

Had the people of the State of Maryland interested come before the Senate and asked that Washington pay for this land, our case would probably have been very weak; but when they come before the Senate and say, "We give you this land, which your own commission, created by act of Congress, thinks you ought to have as a proper extension of the parks of the city of Washington, and all we ask you to do is to utilize it as a park, to build a road or two through the property, that is all," I think we were deserving of better treatment than we received, with all due respect to the committee.

Colonel Grant, the chairman of the Park and Planning Commission of the District, has strongly recommended that this gift be accepted by the Congress on behalf of the Federal Government. It will be too late, perhaps, two or three or four or five years from now, to acquire that land. The people of Maryland are still ready to tender it to the Federal Government free of any cost whatever. They do not ask the Government to spend a cent for it, although it will be a continuation of the present Rock Creek Park.

The property was surveyed by the Washington Park and Planning Commission. They defined what they thought should be the proper boundaries of that park. Our own local commission has approved it. The land has all been acquired. It is ready to be dedicated. I am only rising now to obtain, if possible, an expression from the Senator from Connecticut as to what may be the committee's attitude, in order that those interested may know how to proceed at the next session of Congress in the event they want to renew the offer at that time.

Mr. BINGHAM. Mr. President, in reply to the Senator from Maryland, I should like to state that the committee was informed by Mr. Warner, who appeared in behalf of the Senator's amendment, that in order for the Government to secure this additional land for Rock Creek Park, the Maryland Legislature, now in session, would have to repeal certain legislation which it passed in 1927, to the effect that the title to no land used for park purposes could be in the United States. Therefore it would seem that the first thing necessary to be done would be for the Maryland Legislature to repeal that act and make it possible for the United States to hold that land.

Mr. TYDINGS. May I interrupt the Senator right on that point?

Mr. BINGHAM. Certainly.

Mr. TYDINGS. My amendment was so worded that not a thing would be done until that action was taken; but the Senator can not expect the people to give the land and go through all this process without some acceptance on the part of the Federal Government.

Mr. BINGHAM. The Federal Government, in my opinion, should not put any pressure on a State to change its laws.

Mr. TYDINGS. No pressure is being put on the State.

Mr. BINGHAM. I believe in the rights of the States, and I believe the Senator from Maryland also does. If we were to bribe the State of Maryland to change its laws, I think it would be a very bad precedent. Furthermore, the committee felt that this was a matter which should be brought before the proper standing committees of the Congress and that a bill should be reported, either from the District Committee or from the committee which deals with the national parks, authorizing an appropriation, before any would be made. If that were done, and the authorization were made, so far as I am able to speak for myself, I should be very glad, indeed, to see Rock Creek Park extended, and to take advantage of the very generous offer of the people who hold the land in that vicinity. I should hope, however, that the strip to be acquired might be wide enough so that the roads to be built might run through the park and not merely on the edge of the park.

Mr. TYDINGS. I am glad the Senator has made that statement, because I think it will facilitate the solution of this matter. Aside from the fact that Maryland is my State, and I am very anxious to further its beauty in any way I possibly can, I do feel that, regardless of that fact, every Senator realizes that the time will come when parks will be of great value to Washington, and that the time to acquire the land for them is now, not after the outlying sections are built up and the land becomes expensive and there are other encumbrances in the way.

I feel that the action of the people of Maryland in giving to the District this plot of ground without any charge whatsoever makes the case pretty strong. When I see laws enacted by overwhelming majorities refunding money which States have expended without any authority from the Federal Government whatsoever, the amounts running into the millions of dollars, I do feel that I am well within the spirit of the Senate at this session when I come in and say, "Here is a park that will cost nothing, and all we ask you to do is not to take it and do nothing with it. If you really want it, develop it."

Mr. BINGHAM. In the first place, it would cost \$400,000 for roads. In the second place, it does not seem quite fair to me, speaking for myself alone, that this should be charged up against the District of Columbia. I believe absolutely in having a national park in the vicinity referred to by the Senator from Maryland, but I think that the amount should be appropriated by the Federal Government as part of its normal appropriations for the upkeep of and roads in national parks.

Mr. TYDINGS. I think the Senator's point is very well taken. However, it is worthy of this observation, that the people of the District of Columbia would, more than any other people, enjoy the park if it were built, and it would not in any sense be a national park as Glacier Park or Yellowstone Park or any of the other larger parks happen to be. It would be a park for the city of Washington and for its people; and I do hope that at the next session of Congress the Senate will remember this brief explanation, and that the committee will cooperate with those people who are trying to extend this beautiful park, the finest park in this city, particularly when it can be acquired at no expense whatsoever to the Federal Government.

Mr. KING. Mr. President, will the Senator yield?

Mr. TYDINGS. I am glad to yield.

Mr. KING. I was wondering whether this matter had been brought to the attention of the District Committee of either the House or the Senate. I am a member of the District Committee of the Senate, and I confess that this is the first time the matter has been brought to my attention.

Mr. TYDINGS. It was not brought directly to the attention of those committees, I will say to the Senator from Utah; but Congress passed an act creating a National Park and Planning Commission, and in that act, which came before the Committee on the District of Columbia, that commission was charged with looking about and making recommendations for carrying out a general scheme for beautifying Washington. That commission, in order that the people of Maryland might cooperate with them, requested that we in Maryland have a commission also. We have appointed the commission, and the two commissions have met and looked over all the environment of Washington, and out of the total survey they said that this extension of Rock Creek Park would be the most desirable of any that had been brought before them. Whereupon a movement was launched by our citizens to acquire that land and to have it all dedicated to the Federal Government, and in the amendment which I submitted it was made a condition precedent that the Legislature of Maryland should give the District the right to own that land.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. TYDINGS. Certainly.

Mr. NORRIS. I am very much interested in the explanation the Senator has given, but I would like to suggest to the Senator from Maryland that, at least as I understand it, the Appropriations Committee of the Senate would not properly have jurisdiction of the matter.

Mr. TYDINGS. I think that is right.

Mr. NORRIS. Instead of presenting the matter to the Committee on Appropriations, it seems to me the Senator ought to take it up with the District Committee of the Senate.

Mr. TYDINGS. I think the Senator is perfectly correct in that suggestion, and I thank him for it. I did not want to let this opportunity go by, there not being time now, perhaps, to get a bill through, without letting the Maryland people know why it had not been acted upon, so that they would be in a position to proceed with more promise of success at the next session.

Mr. KING. Mr. President, has the Senator from Connecticut concluded what he desired to say upon this question?

Mr. BINGHAM. Yes, Mr. President.

Mr. NORRIS. Before the Senator from Utah proceeds, would he have any objection if I submitted a question to the Senator from Connecticut?

Mr. KING. Certainly not.

Mr. NORRIS. I am very much interested in the figures the Senator has given, but it seems to me the proper test in deciding a question of taxation is a comparison of the amount of taxes, or the rate of taxation, in the District of Columbia, with

the amount paid on the same valuation in cities of similar size outside. If the Senator has given that information, it was when I was not in the Chamber.

Mr. BINGHAM. I am very glad to give the Senator the information. It is found in Table 3, on page 9, in the document relating to the fiscal relations between the Government and the District of Columbia.

In cities of a similar size the average adjusted tax rate for all cities, not including Washington, is 17.29. The rate for Washington is 17. In other words, the Washington rate is a little bit below that of the average city. There are some cities, like the city of Milwaukee, for instance, which has very nearly the same population, where the rate is 15.67.

Mr. NORRIS. Of course, to give that rate is just to give the rate itself, but that is not sufficient, because the valuation must be taken into consideration. We ought to know about the valuation.

Mr. BINGHAM. I will say to the Senator that it is my understanding that the Bureau of Efficiency attempted to make an adjusted valuation in order to be as fair as possible.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield.

Mr. BLAINE. I think that there is a grievous error made in the calculations referred to by the Senator. For instance, as to the city of Milwaukee, if I am correctly informed, the bureau has used the taxes for city purposes only. But it must be remembered that in all those instances there should be added the county tax, the State tax, and in some cases in our State the school-district tax. I am quite certain as to Milwaukee that if all those various items were taken into account the rate would exceed 15 mills.

Mr. KING. Of course, there would be the income tax and special assessments as well.

Mr. BLAINE. I do not believe the income tax enters into the situation unless we take the total of the income tax paid into the State treasury and then apportion it upon the basis of the total assessed valuation of all property within the State.

Mr. KING. Mr. President, if the Senator will pardon me, there are many persons in the city of Milwaukee, because it is a wealthy city, who pay an income tax to the State. The State of Wisconsin also has an inheritance tax. These taxes are properly chargeable against the inhabitants of the city when a comparison is instituted.

Mr. BLAINE. Only in the proportion that the assessed valuation bears to the total State valuation.

Mr. KING. I would like to say to the Senator from Kentucky that the rate of taxes in many of the cities of the United States is from 35 to 45 mills. This includes municipal, county, State, and district school taxes. In the city in which I live my recollection is the total tax amounts to more than 4 per cent. Other cities in the United States pay as large a tax as that. And I believe that the valuation of property in such cities is as high or higher than that in the District of Columbia.

Mr. BINGHAM. I am sorry that I did not emphasize the adjusted figures. I was desirous of saving time. The actual tax rate for the city of Milwaukee, including county and State levies, is 29 mills, but the Bureau of Efficiency, if the Senator will do me the courtesy to study their tables, has endeavored to compare things as nearly as possible in a fair light with their adjusted valuation, bearing in mind the fact of the assessed value of property in some of the cities being only 50 per cent of its fair value, and so on. It is rather too complicated to go into at the present time and I merely tried to give the general result, which is that the citizens of Washington are paying a tax slightly less than in other cities of the same size, but they are paying a fair tax in view of all the adjustments which have been made by the accountants of the Bureau of Efficiency.

Mr. COUZENS. Mr. President, the Senator in his discussion with respect to other cities compared Washington with Buffalo and Newark. Looking at the table from which he quoted, if he will take the same cities, he will find that Buffalo, even after using the adjusted valuation, pays \$23.46 per \$1,000 of valuation and that Newark pays \$20.10 per \$1,000 of valuation.

Mr. KING. That is purely for municipal purposes.

Mr. COUZENS. And it has been adjusted on that basis. I will say that with a limit of \$9,000,000 as the contribution by the Federal Government we are still paying, in the District of Columbia, less per \$1,000 than other cities pay on the average. The committee wants to raise the amount of the Federal contribution and still reduce the average that the property owners in the District of Columbia pay below what it already is.

Mr. BINGHAM. No; there is no reduction in the tax rate at all.

Mr. COUZENS. I understand that; but if the Government contributed an additional amount it would certainly not raise

the District rate, but if anything it would leave it the same, and it is already lower than in other cities.

Mr. BINGHAM. Not lower than any other city.

Mr. COUZENS. Lower than the average, but the Senator picked out in this case, perhaps, the two lowest of any of the cities in the table, instead of picking out the same cities used in his previous comparison.

Mr. BINGHAM. Indianapolis has a levy of 11 mills, Cincinnati 11 mills, St. Louis 11 mills, Baltimore 11 mills. The Senator does me an injustice.

Mr. COUZENS. But those are not comparable in the matter of population. The Senator emphasized in his last statement the fact that Buffalo and Newark are comparable in the matter of population. Cincinnati and the other cities he now mentions are not comparable in population.

Mr. BINGHAM. St. Louis has a population nearly twice that of Washington.

Mr. COUZENS. But the Senator did not mention St. Louis.

Mr. BINGHAM. I think the Senator will find upon looking at the reporter's notes that I did mention St. Louis and also mentioned Baltimore. The average is what really is effective. I tried to take cities closest to Washington. There are three cities like Cleveland, St. Louis, and Baltimore that have a lower rate and a smaller valuation.

Mr. COUZENS. But the Senator did not use the same cities that he used before.

Mr. BINGHAM. I am sorry the Senator does not like the way I am handling the matter. I would be very glad to turn it over to him.

Mr. COUZENS. I want a fair proposition because I think the District property owners are not paying sufficient taxes in comparison to property owners in other cities.

The PRESIDING OFFICER (Mr. Fess in the chair). The question is on agreeing to the amendment of the committee on page 2, line 7.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "License bureau," on page 4, line 24, after the numerals "\$19,820," to strike out the colon and the following proviso:

Provided, That hereafter the superintendent of licenses of the District of Columbia shall not issue a registration certificate or identification tags for any motor vehicle upon which any personal taxes are due and unpaid to the said District.

The amendment was agreed to.

Mr. KING. Mr. President, may I ask the Senator in charge of the bill a question?

Mr. BINGHAM. Certainly.

Mr. KING. I should like to ask the Senator if ample provision has been made in this bill for school facilities and for the school program for the next two years?

I will say frankly that I have been very greatly interested in the development of the public schools. A number of years ago, at my request, an investigation was conducted which went quite fully into the question of schools, not only the mechanics of the schools, if I may use that expression, but the buildings and in regard to the scholastic requirements, and the curriculum. I am wondering whether the program which we then outlined is being carried out, and whether there are sufficient appropriations provided in this bill to build the needed school-houses as rapidly as possible.

Mr. BINGHAM. Yes; the program is being carried out. I regret that the bill does not carry a larger amount for schools, but the committee has added something for schools, and the House committee added very materially to the amount as proposed originally by the Budget and by the commissioners.

Mr. KING. I have such confidence in the committee that I do not want to challenge its report in the matter to which I am referring, but I will be very glad if the committee would add to the appropriations a considerable sum to push forward to speedy completion the needed school buildings in the District.

Mr. BINGHAM. The Senator from Connecticut regrets that the Senator from Utah, who feels so strongly about the matter, did not present his opinion to the subcommittee having the bill in charge in order that it might be presented to the full committee and might come up in the Senate without leading to a point being made that it was out of order.

Mr. KING. As the Senator knows, I was engaged in other committee work at the time, but I did mention the matter to one or two members of the committee. I am wondering if the Senator thinks if such an amendment were added in the Senate it would meet with opposition in the House.

Mr. BINGHAM. The Senator from Connecticut feels sure that it would meet with opposition, as the House have gone

as far as they believe they ought to go at the present time in the general matter of expenses for the District.

Mr. KING. Mr. President, I shall not offer the amendment, because I should not want to do anything that would delay the passage of this bill.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Highways department," on page 6, line 16, after the word "construction," to strike out "act" and insert "on parcel 108/3 immediately east of"; in line 18, after the word "and," to insert "at," and in the same line, after the word "repair," to strike out "shop" and insert "shops,"; so as to read:

For such additional construction on parcel 108/3 immediately east of the Bryant Street pumping station and at the District automobile repair shop, as may be necessary to house the shops of the highways department, including the laboratory of the inspector of asphalts and cements, and for repairing, servicing, and housing the motor vehicles of the highways department, the trees and parking department, and of such other departments as may be economically served at this location, \$205,000.

The amendment was agreed to.

The next amendment was, under the subhead "Municipal architect's office," on page 7, line 12, to reduce the appropriation for personal services, from \$63,700 to \$59,900.

Mr. CARAWAY. Mr. President, I desire to ask the Senator in charge of the bill a question.

This amendment deals with the municipal architect and the force under him. There have been constantly disasters here in the District of Columbia, like the Knickerbocker Theater disaster, where the faulty construction resulted in the death of a hundred and odd people. Recently some workmen were killed by reason of faulty construction, and the coroner's jury held the building inspectors responsible; and some feeble-minded man associated with the District government in some way gave out a report that they were under no obligation to supervise the manner of construction. Is that true under the District law?

Mr. BINGHAM. I shall have to ask some member of the District Committee. I am not familiar with the District law on that point; but the Senate committee is proposing to add, a little bit later, an item to provide for the payment of a per diem to members of boards of survey engaged in surveys on buildings that are unsafe and dangerous. That matter will come up a little later.

Mr. CARAWAY. Are you trying to relieve these people of any responsibility and employing new people to do what they are supposed to do?

Mr. BINGHAM. Under the District law a board has to be employed to survey buildings that are unsafe or dangerous; but under the law as it at present exists, and under the appropriation bill as it came over from the House, there is no provision made to pay those who serve on that board. The amendment to be proposed later proposes a per diem of \$10, which used to be the law but was inadvertently stricken out.

Mr. CARAWAY. I think we need a new force more than we do now pay.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 7, line 20, before the words "per cent," to strike out "2½" and insert "2¼," so as to read:

All apportionments of appropriations for the use of the municipal architect in payment for the services of draftsmen, assistant engineers, clerks, copyists, and inspectors, employed on construction work provided for by said appropriations, shall be based on an amount not exceeding 3 per cent of a total of not more than \$2,000,000 of appropriations made for such construction projects and not exceeding 2¼ per cent of a total of the appropriations in excess of \$2,000,000.

Mr. KING. Mr. President, I desire to ask the Senator a question in regard to that item.

I am not quite clear that that is a wise provision—to pay the architects of the District, where they are employed and receive compensation, and where their help comes under the classified service generally, a commission; or, rather, to base the compensation paid them upon the amount of money which is expended in the construction of public buildings. The bill provides, as I recall, that the amount to be paid for architectural and other services in connection with buildings shall be 2½ or 2¼ per cent, or not to exceed that, of the total cost of the building.

I know that in private life the architects and builders charge a certain per cent for their services in preparing the plans and supervising the construction, which is added to the cost of the building; but I am not quite satisfied that we ought to determine the compensation of employees of the District by the cost of buildings which may be constructed by the Government.

Mr. BINGHAM. Mr. President, the item on page 12 for personal services covers the items of those employed continuously. The Senator will realize that when new buildings are being built, and new construction is being attended to, it is necessary to employ additional draftsmen, and so forth. In order to provide for that the law has been that an amount not exceeding 3 per cent of a total of not more than \$2,000,000 shall be paid for such construction projects. That is chiefly for the employment of people who are not employed regularly. The item we are changing is to pay from 2½ per cent to 2¾ per cent of the total of the appropriation in excess of \$2,000,000 in case that becomes necessary, the total amount involved being about \$1,950, it being shown to the committee by the municipal architect's office that it will be necessary for them to have this additional amount if they do the large amount of work which is contemplated. The reason for the percentage is so as to make it flexible in connection with the amount of work done. If the work is not done, then they do not have to pay it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 13, line 15, after the word "department" to strike out "two at \$500 each" and insert "one at \$500 and one at \$765," and at the end of line 16, after the words "in all," to strike out "\$95,135" and insert "\$95,400," so as to read:

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, \$77,525; for exchange of such passenger-carrying automobiles now owned by the District of Columbia as, in the judgment of the commissioners of said District, have or shall become unserviceable, \$16,110; and for the purchase of passenger-carrying automobiles as follows: Highways department, one at \$500 and one at \$765, Public Library, one at \$500; in all, \$95,400.

The amendment was agreed to.

The next amendment was, on page 15, at the end of line 14, to increase the appropriation for postage for strictly official mail matter from \$22,000 to \$25,000.

The amendment was agreed to.

The next amendment was, under the subhead "Gasoline tax road and street fund," on page 19, after line 16, to strike out:

Northwest: Upton Street, Thirty-eighth Street to Wisconsin Avenue, \$3,900.

The amendment was agreed to.

The next amendment was, on page 20, after line 2, to strike out:

Northwest: Forty-second Street, Jenifer Street to Military Road, \$9,900.

The amendment was agreed to.

The next amendment was, on page 20, after line 4, to insert:

Northwest: Western Avenue, Forty-first Street to Chevy Chase Circle, \$21,000.

The amendment was agreed to.

The next amendment was, on page 20, line 12, after the word "east," to strike out "to" and insert "of," so as to read:

Northwest: Tilden Street from end of asphalt block pavement east of Connecticut Avenue to Rock Creek Park, \$49,500.

The amendment was agreed to.

The next amendment was, on page 21, after line 2, to strike out:

Northwest: Eighteenth Street, Allison Street to Webster Street, \$4,900.

The amendment was agreed to.

The next amendment was, on page 22, after line 2, to insert:

Northwest: Tunlaw Road, Thirty-seventh Street to Beecher Street, \$10,800.

The amendment was agreed to.

The next amendment was, on page 22, after line 4, to insert:

Northwest: Benton Street, Tunlaw Road to Huiderkoper Place, \$7,400.

The amendment was agreed to.

The next amendment was, on page 22, after line 6, to insert:

Northwest: Observatory Place, Benton Street northward to concrete, \$1,600.

The amendment was agreed to.

The next amendment was, on page 22, after line 8, to insert:
Northwest: Eighth Street, Tuckerman Street to Underwood Street, \$6,200.

The amendment was agreed to.

The next amendment was, on page 22, after line 10, to insert:

Northwest: Tewkesberry Street, Seventh Street to Eighth Street, \$5,400.

The amendment was agreed to.

The next amendment was, on page 22, after line 12, to insert:

Northeast: Neal Street, Bladensburg Road to Holbrook Street, \$6,500.

The amendment was agreed to.

The next amendment was, on page 22, after line 14, to insert:

Northeast: Newton Street, Rhode Island Avenue to Eastern Avenue, \$14,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 16, to insert:

Northeast: Myrtle Avenue, Central Avenue to Walnut Street, \$12,800.

The amendment was agreed to.

The next amendment was, on page 22, after line 18, to insert:

Northeast: Evarts Street, Twentieth Street to Twenty-second Street, \$8,800.

The amendment was agreed to.

The next amendment was, on page 22, after line 20, to insert:

Northeast: Summit Place, T Street to Todd Place, \$2,900.

The amendment was agreed to.

The next amendment was, on page 25, line 17, after the name "Douglass Street," to strike out "Twenty-second Street to Twenty-fourth Street, \$7,300" and insert "Queens Chapel Road to Twenty-fourth Street, \$12,300," so as to read:

Northeast: Douglass Street, Queens Chapel Road to Twenty-fourth Street, \$12,300.

The amendment was agreed to.

The next amendment was, at the top of page 27, to insert:

Southeast: Twenty-third Street, Minnesota Avenue to Q Street, \$6,500.

The amendment was agreed to.

The next amendment was, on page 28, line 5, before the name "Michigan Avenue," to strike out "Northwest" and insert "Northeast," so as to read:

Northeast: Michigan Avenue, North Capitol Street to Monroe Street, \$81,000.

The amendment was agreed to.*

The next amendment was, on page 28, line 19, after the words "in all," to strike out "\$1,565,600" and insert "\$1,655,800," so as to read:

In all, \$1,655,800; to be disbursed and accounted for as "Gasoline tax road and street improvements," and for that purpose shall constitute one fund and be available immediately.

The amendment was agreed to.

The next amendment was, under the subhead "Sewers," on page 33, line 2, to strike out "\$600,000" and insert "\$612,000," so as to read:

For suburban sewers, including the replacement of four motor trucks at not to exceed \$925 each, the purchase of one motor tractor at not to exceed \$975, and the maintenance of nonpassenger-carrying motor vehicles used in this work, \$612,000.

The amendment was agreed to.

The next amendment was, under the heading "Public schools," on page 38, line 17, after the numerals "\$38,900," to strike out the colon and the following proviso:

Provided, That beginning July 1, 1931, and thereafter, section 3 of the act of the Legislative Assembly of the District of Columbia, approved June 23, 1873, entitled "An act to establish a normal school for the city of Washington" (sec. 42, ch. 57, of the Compiled Statutes in force in the District of Columbia), shall apply only to those graduates of the normal schools of the District of Columbia who shall at the time of their graduation rank within the first 25 per cent of their respective classes, arranged in order of their ratings received for their entire normal-school course.

The amendment was agreed to.

The next amendment was, under the subhead "Teachers," on page 39, at the end of line 6, to strike out "\$5,966,000" and insert "\$6,000,000" so as to read:

Salaries: For personal services of teachers and librarians in accordance with the act approved June 4, 1924 (43 Stat. 367-375), \$6,000,000.

The amendment was agreed to.

The next amendment was, under the subhead "Furniture," on page 43, at the end of line 9, to strike out "1930" and insert "1931," so as to read:

For completely furnishing and equipping buildings and additions to buildings, as follows: E. A. Paul Junior High School, \$48,000; 24-room building, including combination assembly hall and gymnasium, at Nineteenth Street and Columbia Road, \$31,000; 8-room building, including combination assembly hall and gymnasium, on Grant Road, \$13,500; 8-room building, including combination assembly hall and gymnasium, at Fourteenth and Upshur Streets, \$13,500; 8-room addition, including combination assembly hall and gymnasium, Raymond School, \$13,500; 18-room building, including combination assembly hall and gymnasium, Langdon School, \$19,000; 8-room addition, including combination assembly hall and gymnasium, Burrville School, \$10,500; 8-room building, including combination assembly hall and gymnasium, to replace the old Bell and Cardozo Schools, \$13,500; Francis Junior High School, \$20,000; health school for colored pupils, \$12,000; in all, \$194,500, to be immediately available and to continue available until June 30, 1931.

The amendment was agreed to.

The next amendment was, under the subhead "Buildings and grounds," on page 46, line 22, after the word "site," to strike out "to be" and insert "being," so as to read:

For the erection of a junior high school building on a site being purchased for that purpose in the Reno section, in accordance with the plans of Macfarland Junior High School, \$200,000, and the commissioners are authorized to enter into contract or contracts as in this act provided for such building, at a cost not to exceed \$500,000.

The amendment was agreed to.

The next amendment was, on page 47, line 17, after the word "school," to insert "and sanatorium," so as to read:

For the erection of a new health school and sanatorium for colored pupils, \$150,000.

The amendment was agreed to.

The next amendment was, on page 47, line 22, after the name "Macfarland Junior High School," to insert "including necessary remodeling and enlargement of the heating plant at the Macfarland Junior High School to provide heat for the Business High School," and on page 48, line 1, after the word "building," to insert "exclusive of the treatment of grounds," so as to read:

For the construction of a new school building for the Business High School on a site now owned by the District of Columbia adjoining the Macfarland Junior High School, including the necessary remodeling and enlargement of the heating plant at the Macfarland Junior High School to provide heat for the Business High School, \$300,000, and the commissioners are authorized to enter into contract or contracts as in this act provided for such building, exclusive of the treatment of grounds, at a cost not to exceed \$1,500,000.

The amendment was agreed to.

The next amendment was, on page 48, line 3, after the numerals "\$1,500,000," to strike out the colon and the following proviso:

Provided, That upon completion of such building, the building now occupied by the Business High School shall be used as an elementary school for colored pupils.

The amendment was agreed to.

The next amendment was, on page 48, line 6, after the word "addition," to insert "or additions," so as to read:

For the construction of an addition or additions to the Park View School, including the necessary remodeling of the present building, \$265,000.

The amendment was agreed to.

The next amendment was, on page 49, line 19, after the word "building," to insert a comma and "a new platoon school building, and a colored health school and sanatorium," so as to read:

For the purchase of a site on which to locate a new junior high-school building, a new platoon school building, and a colored health school and sanatorium in northeast Washington.

The amendment was agreed to.

The next amendment was, on page 49, after line 23, to strike out:

For the purchase of a site for a colored health school.

The amendment was agreed to.

The next amendment was, on page 50, line 8, to increase the appropriation for the purchase of sites for school buildings from \$407,000 to \$517,000.

The amendment was agreed to.

The next amendment was, under the heading "Metropolitan police—Salaries," on page 52, line 17, after the numerals "\$2,722,110," to strike out the colon and the following proviso:

Provided, That hereafter no more than \$360 per annum shall be paid as extra compensation to members of said force who may be mounted on horses, furnished and maintained by themselves, no more than \$50 per annum as extra compensation to members mounted on bicycles, and no more than \$312 per annum to members who may be called upon to use motor vehicles furnished and maintained by themselves.

Mr. DILL. Mr. President, I understand that the purpose of this amendment is to restore to these officers the rates of pay they are now receiving for caring for their horses and their motor cycles?

Mr. BINGHAM. That is correct.

Mr. DILL. I think it is a very desirable amendment.

Mr. CARAWAY. Mr. President, like every one else, I have been interested in the controversy now raging down at police headquarters. I am confident that there is something very wrong with the police force. Whether it is with the individual men or whether it is with the major in charge, I do not know. I have no doubt about one thing, however—that Mr. Dougherty, who is the president of the Board of Commissioners of the District of Columbia, is utterly unsuited to have charge of the police force. He may not be in sympathy with lawlessness; I do not know—I never heard of him until he was appointed, and I have not found anybody else who ever had—but he is in sympathy with most of the abuses that are taking place in the police force, I am sure, from his attitude toward some things that have been attempted.

Here is Captain Burlingame, who stands convicted in the minds of everybody who has half sense. Everybody knows there is something wrong with him and his connection with this palmist, his extortion of money from her, his unwillingness to explain to the District Commissioners, or any one else, his relations with this palmist; and in that he is upheld by the District Commissioners, notwithstanding the fact that the House committee investigating the affairs of the District has requested them to suspend him.

Yesterday a policeman who pleaded guilty to intoxication was fined \$100 and restored to duty. Anybody knows that a man on the police force who gets drunk is protecting somebody who is selling whisky; and if he will protect a bootlegger he will protect a burglar, or a murderer, or any one else for a consideration, because men are not honest and dishonest in spots. They are either honest or they are dishonest.

The man who protects somebody in the commission of a crime is dishonest. Whether he is in sympathy with the law or not, he is an undesirable man to be put in charge of law enforcement, because he is corrupted already. We can not reach all such men. I was intending to offer an amendment, to be inserted on page 52, after the numerals "\$2,722,110," to read as follows:

Provided, That no part of the sum herein appropriated shall be used to pay the salary of Captain Burlingame until he shall be vindicated from the charges now pending against him.

I want a vote on that amendment.

Mr. BINGHAM. Mr. President, will not the Senator wait until the committee amendments shall be disposed of?

Mr. CARAWAY. If the Senator wants to make that objection to it.

The PRESIDING OFFICER. This is in the nature of an amendment to the committee amendment.

Mr. BINGHAM. Mr. President, then, of course, I have no objection to it being acted on now.

Mr. CARAWAY. The security of property and life in the District of Columbia, as in every city, depends on the police force. When some man who is corrupt is still retained on the force, and in a position of authority, and that is generally known, that example tends to break down the morale of the whole police force. If it were just a matter of dealing with Captain Burlingame alone, it would be different. He has been on the force, he has been crooked for years, we now know, but the public did not know it. The public does know it now. Every policeman in the department knows it now, and they know that for some reason not given the commissioners are protecting Burlingame in his position. They know there is something wrong with those higher in command, and therefore their attitude is an invitation for every policeman to find the weak spot in the police department and take advantage of it. I hope, therefore, that the amendment may be adopted.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The CHIEF CLERK. On page 52, beginning with line 17, the committee proposes to strike out down to line 24, inclusive, as follows:

Provided, That hereafter no more than \$360 per annum shall be paid as extra compensation to members of said force who may be mounted on horses, furnished and maintained by themselves, no more than \$50

per annum as extra compensation to members mounted on bicycles, and no more than \$312 per annum to members who may be called upon to use motor vehicles, furnished and maintained by themselves.

The amendment was agreed to.

The PRESIDING OFFICER. The amendment of the Senator from Arkansas will now be stated.

The CHIEF CLERK. On page 52, line 17, after the numerals "\$2,722,110," to insert a colon and the following:

Provided, That no part of the sum herein appropriated shall be used to pay the salary of Captain Burlingame until he shall be vindicated from the charges now pending against him.

Mr. BINGHAM. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. BINGHAM. That being in the nature of a limitation, would a point of order lie against it?

The PRESIDING OFFICER. It would not.

Mr. McKELLAR. Let the amendment be read again.

The amendment was again read.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Connecticut to page 60, line 6, where the word "women" occurs. That should be "woman."

Mr. BINGHAM. I move that the word be changed to "woman."

The PRESIDING OFFICER. Without objection, that amendment will be made.

The next amendment of the committee was, under the subhead "Supreme Court, District of Columbia," on page 64, line 22, before the word "stenographers," to strike out "six" and insert "seven"; and in line 23, after the word "justice," to strike out "\$15,600; in all, \$86,100" and insert "\$18,200; in all, \$88,700," so as to read:

Salaries: Chief Justice, \$10,500; 6 associate justices, at \$10,000 each; 7 stenographers, 1 for the chief justice and 1 for each associate justice, \$18,200; in all, \$88,700.

The amendment was agreed to.

The next amendment was, under the subhead "Medical charities," on page 75, line 11, to increase the appropriation for care and treatment of indigent patients at the Children's Hospital from \$18,000 to \$22,000.

The amendment was agreed to.

The next amendment was, under the heading "Public buildings and public parks—General expenses, public parks," on page 86, line 11, after the word "exceeding," to strike out "\$90,000" and insert "\$122,000," so as to read:

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains, and reservations, propagating gardens and greenhouses under the jurisdiction of the Office of Public Buildings and Public Parks of the National Capital, including \$5,000 for the maintenance of the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per diem rates of pay approved by the director, not exceeding current rates of pay for similar employment in the District of Columbia; the hire of draft animals with or without drivers at local rates approved by the director; the purchase and maintenance of draft animals, harness, and wagons; contingent expenses; city directories; communication service; car fare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books; blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the maintenance, repair, exchange, and operation of not to exceed four motor-propelled passenger-carrying vehicles and all necessary bicycles, motor cycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures, etc., \$570,000: *Provided*, That not exceeding \$35,000 of the amount herein appropriated may be expended for placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks; not exceeding \$25,000 for the improvement and maintenance as recreation parks of Sections C and D, Anacostia Park; not exceeding \$122,000 for the improvement of the Rock Creek and Potomac connecting parkway and the continuation of construction of sea wall.

The amendment was agreed to.

The next amendment was, under the heading "National Capital Park and Planning Commission," on page 87, line 18, after the word "amended," to insert "and the act approved December 22, 1928 (Public, No. 646, 70th Cong.)," so as to read:

For each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission as authorized by the act entitled "An act providing for a comprehensive development

of the park and playground system of the National Capital," approved June 6, 1924 (43 Stat. 463-464), as amended, and the act approved December 22, 1928 (Public, No. 646, 70th Cong.), including not to exceed \$100 for technical books and periodicals, not to exceed \$50,000 for personal services in the District of Columbia, and not to exceed \$3,500 for printing and binding, \$1,000,000, to be immediately available and to remain available until expended.

The amendment was agreed to.

Mr. BINGHAM. There are several other committee amendments which I am authorized by the committee to offer, and I shall ask the clerk to read the one I now send to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The CHIEF CLERK. On page 12, line 24, after the syllable "ings," insert a comma and the following: "including payment of a fee of \$10 per diem to each member of the board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings."

The amendment was agreed to.

Mr. BINGHAM. I offer another amendment authorized by the committee.

The PRESIDING OFFICER. The clerk will report the committee amendment.

The CHIEF CLERK. On page 31, line 24, after the numerals "\$120,000," insert a colon and the following:

Provided, That so much of cost of this work as relates to the paving between and 2 feet exterior to the outer rails of the street-car tracks, and to the reconstruction of the street-railway track system, shall be paid by the street-railway company using the bridge.

The amendment was agreed to.

Mr. BINGHAM. I offer another amendment authorized by the committee.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 39, line 2, after the word "course," insert a colon and the following:

Provided, That the Board of Education is hereby authorized, under appropriations hereafter to be made, to expand the two existing normal schools into teachers' colleges, and at the end of the fourth year thereof to award appropriate degrees.

The amendment was agreed to.

Mr. BINGHAM. I am authorized to offer another amendment.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The CHIEF CLERK. On page 76, after line 5, insert as a separate paragraph the following:

For the erection and equipment, including furniture and other accessories, of a hospital building for the care and treatment of tubercular children, \$150,000.

The amendment was agreed to.

Mr. BINGHAM. Mr. President, that completes the committee amendments, but since the committee met there has been received from the Budget an estimate for the transportation of crippled children attending schools, of \$12,000, and I ask leave to offer an amendment covering that matter.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 42, after line 8, insert a new paragraph, as follows:

For transportation for pupils attending schools for crippled pupils, \$12,000: *Provided*, That expenditures for street car and bus fares from this fund shall not be subject to the general limitations on the use of street car and bus fares covered in this act.

The amendment was agreed to.

Mr. BINGHAM. Mr. President, in this connection the committee has received, since it met, a recommendation from the Bureau of the Budget with regard to the employment of two physiotherapists to aid these crippled children in connection with the transportation item just passed, and I ask that the amendment I send to the desk may be read and agreed to.

The PRESIDING OFFICER. The clerk will report the amendment.

The CHIEF CLERK. On page 60, in line 5, strike out "\$74,000" and insert in lieu thereof "\$78,600."

The amendment was agreed to.

Mr. BINGHAM. That concludes all the committee amendments.

Mr. JONES. Mr. President, I have the impression that the amendment in line 5, page 28, was overlooked. In order to be sure, I am calling it to the attention of the chairman of the committee.

The PRESIDING OFFICER. That amendment was agreed to.

Mr. PHIPPS. Mr. President, I desire to offer an amendment. The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 28, line 8, strike out "\$75,000" and insert in lieu thereof "\$80,000."

Mr. PHIPPS. Mr. President, that would have the effect of adding \$5,000 to the allowance for grading property, opening up new streets, to take care of new enterprise, a large tract of property being developed in the southeast section, which would give to the District, by dedication, a large circle somewhat like Chevy Chase Circle, only larger in area. It is necessary to have the grading performed in order to get the property dedicated.

Mr. McKELLAR. Where is it located?

Mr. PHIPPS. In the southeastern section. It would be beyond the Washington University, a little to the south and east of the university. In the development of that tract of land the owners propose to dedicate to the District a suitable tract of land for the purpose of a public school, which is the first time we have been able to secure an offer of that kind.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VANDENBERG. Mr. President, in view of the very wide public interest in the matter, I wish the Senator in charge of the bill would state why the amendment was not inserted which he had anticipated offering, to provide for an airport survey in the city of Washington.

Mr. BINGHAM. Mr. President, at one time I had hoped to present and had intended to present to the committee a proposal for an amount of money sufficient to provide for a complete survey to be made of the airport situation, in order that we might have the facts before us. I learned that quite an extensive survey had been made, and therefore that this was not needed. I therefore did not propose the amendment.

May I take this opportunity of saying that I hope very much that the District Committee, and particularly the subcommittee of which the Senator from Michigan is chairman, will promptly take into consideration the bills now pending in regard to the authorization of an appropriation for an airport in Washington. Nearly all the other great capitals of the world either have or are building suitable and adequate airports. Even Rome, the capital of Italy, where to-day there are very few lines of airplanes coming in, has about completed the construction of a magnificent airport. The capitals of Germany, France, England, Holland, and other countries have provided fine and adequate airports. We alone have not yet made any such provision, and I hope that within the near future the committee over which the Senator from Michigan presides will arrive at a conclusion as to where is the best place for authorizing such an airport.

Mr. VANDENBERG. I should like to inquire further of the Senator from Connecticut, who is familiar with the District program as well as the air program, whether he thinks there is any development in governmental air facilities contemplated in the District which would recommend, perhaps, very careful inquiry and some delay before an independent municipal project at Gravelly Point was undertaken?

Mr. BINGHAM. Mr. President, I have been giving some consideration to the fact that the War Department is asking for a very considerable increase in the size of Bolling Field, a field which is at present used by both the War Department and the Navy Department. I submitted informally and tentatively, to the Assistant Secretary of War for Aeronautics, a question as to whether, in case the size of that field were increased, it might not be possible to use a part of the field for commercial purposes. I received a lengthy report from him only this morning in which he stated that, after looking into the matter quite fully, he believes it would be the great disadvantage of both the military and naval services if that suggestion were followed, and that the interests of Washington, from the point of view of commercial aeronautics, would not be well served by such an arrangement.

On the other hand, after having conversed with several experts who have looked into the matter quite fully, I hope very much that the Department of Agriculture may be led to take the view that their experimental work now being carried on at the flats opposite Potomac Park, near the end of the Highway Bridge and the new Memorial Bridge, might be equally well carried on at some other place in the vicinity of Washington, and that that land, which is adjacent to one of the two fields now used for commercial purposes—one of which I think bears the name of Hoover Field—might be combined with land now occupied by the Department of Agriculture to make an adequate airport for the city of Washington at a much earlier date than

would be the case if we were obliged to use the project known as the Gravelly Point project.

Mr. VANDENBERG. Just one more question, if the Senator will permit. Has he any conviction as to the proper division of cost in the development of a municipal airport in Washington?

Mr. BINGHAM. The question brings up a matter on which the two Houses are continually at variance, and it is rather a difficult one for me to answer. My own personal feelings in the matter are these: The persons who would use such an airport to its fullest extent would be in nearly all cases persons coming to Washington for the sake of having to do business with the Federal Government and not with the citizens and business houses of Washington. They would be persons in large measure coming to appear before the committees of Congress and to attend to matters in which their States and communities were interested and with respect to which they desire to communicate with their Senators and Congressmen. In view of that fact, it seems to me that the Federal Government ought to bear the expense of constructing an adequate municipal airport, or at least a very large share of that expense.

Mr. VANDENBERG. I thank the Senator for his testimony. The PRESIDING OFFICER. The bill is still in Committee of the Whole and open to amendment. If there are no further amendments to be proposed as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. BINGHAM. Mr. President, I ask unanimous consent that the clerks be given authority to change any totals which may be required to be changed and which may have been overlooked in the course of the amendments.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is, Shall the amendments be engrossed and the bill to be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Edge	Keyes	Smith
Barkley	Fess	King	Smoot
Bayard	Frazier	McKellar	Steak
Bingham	George	McMaster	Steiwer
Black	Gerry	McNary	Stephens
Blaine	Gillett	Moses	Swanson
Bleuse	Glass	Neely	Thomas, Idaho
Borah	Glenn	Norbeck	Thomas, Okla.
Bratton	Goff	Norris	Trammell
Brookhart	Gould	Oddie	Tydings
Broussard	Greene	Overman	Tyson
Bruce	Hale	Phipps	Vandenberg
Burton	Harris	Pittman	Wagner
Capper	Harrison	Ransdell	Walsh, Mass.
Caraway	Hastings	Reed, Pa.	Walsh, Mont.
Copeland	Hawes	Robinson, Ind.	Warren
Couzens	Hayden	Sackett	Waterman
Curtis	Heflin	Sheppard	Watson
Dale	Johnson	Shipstead	Wheeler
Deneen	Jones	Shortridge	
Dill	Kendrick	Simmmons	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

AMENDMENT OF SECTION 1233, REVISED STATUTES

Mr. REED of Pennsylvania. Mr. President, in January, 1928, at the request of the State Department, I introduced two bills intended to make eligible for appointment in the Diplomatic Service officers of the Navy and of the Army who were on the retired list and who, by a construction of an old statute, had recently been held to be ineligible under a provision preventing officers on the active list from taking such appointments. It never was intended by the Congress that retired officers should be made ineligible to serve their country in any other capacity.

The Committee on Naval Affairs promptly reported out a bill with reference to naval officers and it passed the Senate. I am now authorized by the Committee on Military Affairs to report back favorably, without amendment, the bill (S. 2409) to amend section 1233 of the Revised Statutes of the United States, and I submit a report (No. 1682) thereon. Inasmuch as the bill involves no other question than that which has already been decided by the Senate, I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2409) to amend section

1223 of the Revised Statutes of the United States, and it was read, as follows:

Be it enacted, etc., That section 1223 of the Revised Statutes of the United States be amended by adding at the end thereof the following new sentence: "*Provided, however,* That the foregoing provision shall not apply to any officer of the Army on the retired list."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Mr. BINGHAM. Mr. President, from the Committee on Military Affairs I report back favorably without amendment the bill (S. 5544) to increase the membership of the National Advisory Committee for Aeronautics, and I submit a report (No. 1683) thereon. I ask unanimous consent for the immediate consideration of the bill. It is a unanimous report from the committee; it will not cost anything, and if the purpose is to be accomplished at this session we must get the bill through the Senate and over to the House as soon as possible.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5544) to increase the membership of the National Advisory Committee for Aeronautics, and it was read, as follows:

Be it enacted, etc., That the membership of the National Advisory Committee for Aeronautics is hereby increased from 12 members to 15 members: *Provided,* That the three additional members to be appointed by the President shall be acquainted with the needs of aeronautical science, either civil or military, or skilled in aeronautical engineering or its allied sciences, and shall serve as such without compensation.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALTERATIONS AND REPAIRS TO CERTAIN NAVAL VESSELS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate bill 1093.

Mr. HALE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar 1356, the bill (S. 4570) to authorize alterations and repairs to certain naval vessels.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

Mr. BRATTON. Mr. President, let me inquire what is the bill to which the Senator refers?

The PRESIDENT pro tempore. The clerk will report the bill for the information of the Senate.

Mr. HALE. May I say before that is done, Mr. President, that it is a bill which has to do with the modernization of two of our battleships, the *Arizona* and the *Pennsylvania*. The bill should be passed by the Senate to-day if it is possible to have it done. The Navy Department appropriation bill has just come to the Senate from the House and we are to hold hearings on that bill commencing next Monday.

This is an item that should be considered in that bill. The detailing of the men for the coming year has been arranged with the understanding that the men who are on the *Arizona* and the *Pennsylvania* will be available for use on the *Oklahoma* and the *Nevada*, which have just been modernized and reconditioned. Unless action shall be taken to-day, we shall have no authorization to consider this matter in proceeding with the appropriation bill. The whole question is simply one of following out the plan that was adopted four years ago of modernizing each year two ships of the Navy. This bill merely proposes to follow out the plan.

Mr. BRATTON. Mr. President, if the Senator will yield, will he let me inquire why it is necessary that action be taken to-day?

Mr. HALE. Because we are going to hold hearings on Monday on the naval appropriation bill, and in that appropriation bill there should be an item to take care of these ships.

Mr. BLEASE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. CARAWAY. I yield.

Mr. BLEASE. I do not like to object to this particular bill, but I do think this manner of legislating is hardly proper.

Mr. GLASS. Mr. President, I hope the Senator from South Carolina will not object. The consideration of this bill will not require any discussion. The Appropriations Committee meets on Monday. These ships ought to be modernized and repaired.

The Senator will remember that I did not vote for the cruiser bill, and I am not especially a "big Navy" man, but this is a matter that ought to be attended to and ought to be attended to immediately. I therefore hope the Senator from South Carolina will not object to the consideration of the bill.

Mr. BLEASE. Mr. President, I am different from the Senator from Virginia in that respect. I voted for a large Navy; I believe in a large Army; I believe in a big airplane service, if that is what it may properly be called; I believe in anything to fight with; but I do not believe in fighting with it. However, I believe in being ready to fight, so that if the other fellow jumps on you you can take care of yourself.

Mr. HALE. Mr. President, that is the object of this bill, to put these ships in condition so that they can be on equal terms with the modern ships of other navies. I hope the Senator from South Carolina will not object to the consideration of the bill.

The PRESIDENT pro tempore. Is there objection?

Mr. BLEASE. If the Senate will pass my judgeship bill right after it shall pass this bill, then I shall not object to the consideration of the bill.

Mr. SWANSON. I hope the Senator from South Carolina will not object.

Mr. GLASS. I did not object to the bill of the Senator from South Carolina.

Mr. BLEASE. I object to the consideration of the bill.

Mr. SWANSON. I hope the Senator from South Carolina will not persist in his objection.

The PRESIDENT pro tempore. The Senator from South Carolina objects. The Senator from Arkansas [Mr. CARAWAY] has the floor.

Mr. McNARY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Oregon?

Mr. CARAWAY. I yield.

Mr. McNARY. I should like to submit and have considered this afternoon the conference report on the agricultural appropriation bill. The speech of the Senator from Arkansas will be just as effective after the conference report shall have been considered. I am going to submit a conference report and ask unanimous consent for its consideration.

Mr. CARAWAY. Mr. President, just a moment.

The PRESIDENT pro tempore. Temporarily laying aside the unfinished business?

Mr. CARAWAY. Just a moment. I will ask the Senator from Oregon how long the consideration of the conference report will take?

Mr. McNARY. I think it will take but a brief moment.

Mr. CARAWAY. I want to oblige the Senator from Oregon, but if I shall yield to him it will probably be absolutely impossible to complete the unfinished business this evening. I hope that on Monday I may be permitted to proceed with it to a final conclusion.

Mr. CURTIS. Mr. President, if I may intervene, I desire to suggest that the Senate proceed with the consideration of the conference report, and then, if there be no objection, I will ask unanimous consent to proceed with unobjected bills on the calendar, beginning where we left off the last time the calendar was under consideration. We could put in the afternoon very nicely in that way, and let the Senator from Arkansas proceed with his bill on Monday.

Mr. SMITH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. CARAWAY. I yield.

Mr. SMITH. What was the request which the Senator from Oregon made?

The PRESIDENT pro tempore. The request was that he might present a conference report, which is a privileged matter and may be presented at any time, and he also asked unanimous consent for the present consideration of the conference report.

Mr. SMITH. It is a conference report on what bill?

Mr. McNARY. On the agricultural appropriation bill.

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Massachusetts?

Mr. CARAWAY. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Mr. President, I wish to announce that the Senator from South Carolina [Mr. BLEASE] is prepared to withdraw his objection to the bill consideration of which was asked for by the Senator from Maine [Mr. HALE], on the ground that employees of the navy yards are being discharged for lack of favorable action on this measure. I understand on that representation the Senator from South Carolina will withdraw his objection.

Mr. REED of Pennsylvania. I should like to add my own entreaty to that just voiced by the Senator from Massachusetts.

The PRESIDENT pro tempore. The Chair understands that the objection to the bill is withdrawn.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4570) to authorize alterations and repairs to certain naval vessels, which was read, as follows:

Be it enacted, etc., That for the purpose of modernizing the U. S. S. *Pennsylvania* and *Arizona*, alterations and repairs to such vessels are hereby authorized at a total cost not to exceed the sum of \$14,800,000 in all. The alterations to the capital ships herein authorized shall be subject to the limitations prescribed in the treaty limiting naval armaments, ratified August 17, 1923.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The question now recurs on the unanimous-consent proposal made by the Senator from Oregon [Mr. McNARY].

Mr. HALE. Mr. President, I ask unanimous consent to reconsider the vote by which the bill just passed was ordered to be engrossed for a third reading, read the third time, and passed, in order that a similar bill which has been passed by the House may be substituted for the Senate bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the votes are reconsidered.

Mr. HALE. I now move that the Committee on Naval Affairs be discharged from the further consideration of the bill (H. R. 11616) to authorize alterations and repairs to certain naval vessels.

The motion was agreed to.

Mr. HALE. I ask unanimous consent that the House bill 11616 be substituted for Senate bill 4570, and that the Senate proceed to its consideration.

There being no objection, the Senate proceeded to consider the bill (H. R. 11616) to authorize alterations and repairs to certain naval vessels, which was read, as follows:

Be it enacted, etc., That for the purpose of modernizing the U. S. S. *Pennsylvania* and *Arizona*, alterations and repairs to such vessels are hereby authorized at a total cost not to exceed the sum of \$14,800,000 in all. The alterations to the capital ships herein authorized shall be subject to the limitations prescribed in the treaty limiting naval armaments, ratified August 17, 1923.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, the bill (S. 4570) to authorize alterations and repairs to certain naval vessels is indefinitely postponed.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT

Mr. McNARY. I now submit the conference report on the agricultural appropriation bill and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. What is the request?

The PRESIDENT pro tempore. The Senator from Oregon submits a conference report on the agricultural appropriation bill, and asks unanimous consent for its present consideration. It will not displace the unfinished business.

Mr. CARAWAY. Mr. President, I am going to make no objection, but I am going to ask that we be permitted on Monday to consider the unfinished business. I hope that all Senators will remember that I am yielding to oblige the Members of the Senate, but on Monday I hope that I shall be permitted to proceed with the unfinished business.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon?

There being no objection, the report was read, and the Senate proceeded to its consideration, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15386) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1930, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 19, 21, 22, 24, 27, 28, 29, 30, 31, 35, 40, 44, 47, 48, 52, 57, 66, and 68.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 32, 37, 39, 43, 46, 54, 55, 58, 59, 60, 61, 62, 63, 65, 69, and 70, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: On page 13 of the bill, in line 25, strike out "\$11,728,390" and insert "\$12,008,390"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,120,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,153,400"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$353,780"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$9,533,070"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$12,133,070"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$831,200"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$810,920"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,234,731"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,960,343"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,646,200"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$9,541,280"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$13,024,280"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$32,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,630,075"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,089,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$204,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,882,670"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$396,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$633,273"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,163,566"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,429,166"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,325,800"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,633,500"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$144,511,554"; and the Senate agree to the same.

The committee of conference have not agreed on amendment numbered 15.

CHAS. L. McNARY,
W. L. JONES,
HENRY W. KEYES,
LEE S. OVERMAN,
WM. J. HARRIS,
JOHN B. KENDRICK,
Managers on the part of the Senate.
L. J. DICKINSON,
E. H. WASON,
JOHN W. SUMMERS,
J. P. BUCHANAN,
JOHN N. SANDLIN,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

INSPECTION OF BATTLE FIELDS IN MISSISSIPPI

Mr. SHEPPARD. From the Committee on Military Affairs I report back favorably with an amendment the bill (H. R. 8736) to provide for the inspection of the battle field of Brices Cross Roads, Miss., and the battle field of Tupelo, or Harrisburg, Miss., and I submit a report (No. 1684) thereon. I direct the attention of the Senator from Mississippi [Mr. HARRISON] to the bill.

Mr. HARRISON. I ask unanimous consent for the immediate consideration of the bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. The amendment of the Committee on Military Affairs was to strike out all after the enacting clause and to insert:

That for the purpose of commemorating the battles of Brices Cross Roads, Miss., and Tupelo, Miss., the Secretary of War is authorized and directed to (1) acquire not to exceed 1 acre of land, free of cost to the United States, at each of the above-named battle fields, (2) fence each parcel of land so acquired, (3) build an approach to each such parcel of land, and (4) erect a suitable marker on each such parcel of land.

SEC. 2. There is authorized to be appropriated \$10,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this act.

SEC. 3. Each parcel of land acquired under section 1 of this act shall be under the jurisdiction and control of the Secretary of War, and there is authorized to be appropriated for the maintenance of each such parcel of land, fence, approach, and marker a sum not to exceed \$250 per annum.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide for the commemoration of the Battles of Brices Cross Roads, Miss., and Tupelo, Miss."

THE CALENDAR

Mr. CURTIS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of unobjected bills on the calendar, beginning with the number where we left off when the calendar was last under consideration.

Mr. McKELLAR. Do I understand the Senator to ask that the consideration of the calendar be begun where it was left off when last under consideration?

Mr. CURTIS. Yes; and that unobjected bills only be considered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the call of the calendar will proceed.

BOISE RECLAMATION PROJECT

The bill (H. R. 11360) to authorize the Secretary of the Interior to convey or transfer certain water rights in connection with the Boise reclamation project was considered as in Committee of the Whole.

The bill had been reported from the Committee on Irrigation and Reclamation with amendments, on page 1, beginning in line 4, to strike out "convey upon such terms and conditions as he may see fit, either at public auction to the best bidder or at private sale at such prices as he may fix" and to insert "relinquish to the board of control of the Arrowrock division, Boise irrigation project," and on page 2, line 2, after the word "reservoir," to strike out "The proceeds received by the United States from the sale of such rights shall be used toward or credited to part payment on that part of the cost of the construction of the Arrowrock division, Boise project, chargeable to the board of control of the said Arrowrock division," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to relinquish to the board of control of the Arrowrock division, Boise irrigation project, all the right, title, and interest of the United States in or to certain Ridenbaugh or Nampa and Meridian irrigation district water rights, not heretofore disposed of, obtained when land with appurtenant water rights was purchased by the United States for the Deer Flat Reservoir.

SEC. 2. The Secretary of the Interior is authorized to permit the water to which the United States is entitled under the said Ridenbaugh rights to be taken into and distributed through the canal system of the Arrowrock division of the Boise project by the board of control and used or disposed of by the said board of control for the benefit of the said Arrowrock division.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

COLLECTION OF COTTON STATISTICS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5474) authorizing the Director of the Census to collect and publish certain additional cotton statistics, which was read, as follows:

Be it enacted, etc., That hereafter in collecting and publishing statistics of cotton on hand in warehouses and other storage establishments, and of cotton known as the "carry-over" in the United States, the Director of the Census is hereby directed to ascertain and publish as a separate item in the report of cotton statistics the number of bales of linters as distinguished from the number of bales of cotton.

Mr. HARRISON. Does that bill provide for the census?

Mr. HEFLIN. No; it is a bill introduced by me, and merely provides for the collection and publication of certain additional cotton statistics.

Mr. HARRISON. I have no objection to the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HERMAN C. DAVIS

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9737) for the relief of Herman C. Davis, which had been reported from the Committee on Claims with an amendment, in line 4, after the word "pay," to insert "out of any money in the Treasury not otherwise appropriated," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman C. Davis, of Camp Knox, Hardin County, Ky., the sum of \$2,500 in full settlement of all claims against the United States for injuries arising out of a gunshot wound inflicted by a member of the provost guard doing duty at Camp Knox on March 17, 1919.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill read a third time.

The bill was read the third time and passed.

F. STANLEY MILLICHAMP

The bill (H. R. 11064) for the relief of F. Stanley Millichamp was announced as next in order.

Mr. KING. I should like an explanation of that bill.

The PRESIDENT pro tempore. The Senator who reported the bill is not in the Chamber.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

WILLIAM A. SCHOENFELD

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8968) to allow credit in the accounts of William A. Schoenfeld, which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed in the settlement of the accounts of William A. Schoenfeld, a special temporary disbursing agent of the Department of Agriculture, to allow the sum of \$80 now standing as a disallowance in the accounts of said William A. Schoenfeld, being the difference between \$110 each paid for two typewriting machines purchased in Vienna, Austria, and the limiting price for such machines, \$70 each, fixed by act of April 4, 1924 (43 Stat. p. 67).

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL AND JOINT RESOLUTION PASSED OVER

The bill (S. 4819) for the relief of Roy M. Lisso, liquidating trustee of the Pelican Laundry (Ltd.), was announced as next in order.

Mr. BLEASE. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (H. J. Res. 135) for the relief of special disbursing agents of the Alaska Railroad was announced as next in order.

Mr. KING. I should like an explanation of that measure.

The PRESIDENT pro tempore. The Senator from Mississippi, who reported the joint resolution, is not in the Chamber.

Mr. KING. Let it go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

C. TISDALL CO. AND OTHERS

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3955) for the relief of the C. Tisdall Co., Herbert W. Smith, Newman Bros., Thomas J. Murphy Co., formerly Edward A. Brown Co., and Giles P. Dunn, jr., which had been reported from the Committee on Claims with an amendment, on page 1, line 4, after the word "pay," to insert "out of any money in the Treasury not otherwise appropriated," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the C. Tisdall Co., of Newport, R. I., the sum of \$1,037.65; Herbert W. Smith, of Newport, R. I., the sum of \$146.15; Newman Bros., of Bristol, R. I., the sum of \$114.25; Thomas J. Murphy Co., formerly Edward A. Brown Co., of Newport, R. I., the sum of \$151.85; and Giles P. Dunn, jr., of Block Island, R. I., the sum of \$619.54, all of said sums being due said individuals and companies for merchandise furnished crews of certain naval vessels of the United States during the late war.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CACHE NATIONAL FOREST

The bill (H. R. 310) authorizing an addition to the Cache National Forest, Idaho, was announced as next in order.

Mr. THOMAS of Idaho. I should like to have that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

TITLE TO LANDS IN MICHIGAN

The bill (H. R. 13899) authorizing the Secretary of the Interior to issue patents for land held under color of title was announced as next in order.

Mr. ODDIE. I ask that that bill go over.

Mr. VANDENBERG. Mr. President, will the Senator withhold his objection for just a moment?

Mr. ODDIE. I withhold the objection.

Mr. VANDENBERG. This bill applies solely to farm lands on the Raisin River, in Monroe County, Mich., and straightens out difficulties inherited from the old French titles 150 years ago. That is the sole purpose of the bill.

Mr. ODDIE. I have not had an opportunity to look into it. It does not, then, refer to mining locations?

Mr. VANDENBERG. Not at all.

Mr. ODDIE. I withdraw my objection to the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That if, within five years after the passage of this act, it shall be shown to the satisfaction of the Secretary of the Interior that a tract or tracts of public land in the State of Michigan, not exceeding in the aggregate of 160 acres, has or have been held in good faith and in peaceable, adverse possession by a citizen of the United States, his ancestors or grantors, for more than 20 years prior to the approval of this act under claim or color of title, and that valuable improvements have been placed on such land or some part thereof has been reduced to cultivation, the Secretary may, in his discretion, upon the payment of \$1.25 per acre, cause a patent or patents to issue for such land to any such citizen: *Provided*, That the term "citizen," as used herein, shall be held to include a corporation organized under the laws of the United States or any State or Territory thereof.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHOPTANK RIVER BRIDGE, MARYLAND

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5465) authorizing V. Calvin Trice, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Choptank River at a point at or near Cambridge, Md., suitable to the interest of navigation, between Dorchester County, Md., and a point opposite thereto in Talbot County, Md., which had been reported from the Committee on Commerce with amendments. The first amendment was, in section 1, page 2, line 2, after the word "the," to strike out "interest" and insert "interests"; in the same line, after the word "navigation," to strike out "between Dorchester County, Md., and a point opposite thereto in Talbot County, Md.," so as to make the section read:

That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, V. Calvin Trice, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Choptank River at or near Cambridge, Md., at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

The amendment was agreed to.

The next amendment was, in section 4, page 4, line 15, after the word "filed," to strike out "and shall make a finding of the actual and reasonable costs so filed," so as to make the section read:

SEC. 4. V. Calvin Trice, his heirs, legal representatives, and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War, and with the Highway Department of the State of Maryland, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the Highway Department of the State of Maryland shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a

finding of the actual and reasonable costs of construction, financing, and promoting such bridge; for the purpose of such investigation the said V. Calvin Trice, his heirs, legal representatives, and assigns shall make available all records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this act, subject only to review in a court of equity for fraud or gross mistake.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing V. Calvin Trice, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Choptank River at a point at or near Cambridge, Md."

RIO GRANDE BRIDGES AND MISSISSIPPI RIVER BRIDGE AT ST. PAUL

The following bridge bills reached upon the calendar were severally considered as in Committee of the Whole, reported to the Senate without amendment, read the third time, and passed:

A bill (H. R. 14458) authorizing the Rio Grande del Norte Investment Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near San Benito, Tex.;

A bill (H. R. 15005) authorizing the Donna Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near Donna, Tex.;

A bill (H. R. 15006) authorizing the Los Indios Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near Los Indios, Tex.;

A bill (H. R. 15069) authorizing the Rio Grande City-Camargo Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near Rio Grande City, Tex.; and

A bill (H. R. 15968) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near St. Paul and Minneapolis, Minn.

DAVID E. JONES

The bill (S. 4250) for the relief of David E. Jones was considered as in Committee of the Whole and was read as follows:

Be it enacted, etc., That the requirements of sections 17 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of David E. Jones, formerly a laborer, Ordnance Department, Fort Sill, Okla., and the United States Employees' Compensation Commission is authorized and directed to consider and act upon his claim for compensation for injury suffered in the performance of his duties as such laborer, under the other provisions of such act as amended.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM D. GHRIST

The bill (H. R. 14572) for the relief of William D. Ghrist was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to credit the account of William D. Ghrist, postmaster at Uniontown, Pa., in the sum of \$2,875, being an amount charged in the postal account due to the cashing of war-savings stamps in the year 1924, which were found by the Treasury Department to be counterfeit and charged back to the postmaster's account, for which amount the postmaster was in no way responsible, the loss having occurred without negligence on his part.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WINSTON W. DAVIS

The bill (H. R. 15039) for the relief of Winston W. Davis was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of Winston W. Davis, former postmaster at Johnstown, Pa., in the sum of \$13,100, being an amount charged in the postal account due to the cashing of war-savings stamps in the year 1924, which were found by the Treasury Department to be counterfeit and charged back to the postmaster's account, for which amount the postmaster was in no way responsible, the loss having occurred without negligence on his part.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FLORENCE P. HAMPTON

The bill (H. R. 15004) for the relief of Florence P. Hampton was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$5,000 to Florence P. Hampton, on account of the death of her husband, Henry Alfred Hampton, who was killed in Calhoun County, Fla., September 6, 1928, while deputized as a prohibition enforcement officer.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HIRING OF VEHICLES FROM LETTER CARRIERS

The bill (H. R. 13451) to authorize the Postmaster General to hire vehicles from letter carriers for use in service was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 3850 of the Revised Statutes (U. S. C., title 39, sec. 52) be amended by the addition of the following:

"Provided, That beginning with the fiscal year 1928, and thereafter, the Postmaster General may hire vehicles from letter carriers for use in the city delivery and collection service, either under an allowance or on a contract basis."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROMOTIONS IN POST-OFFICE MOTOR-VEHICLE SERVICE

The bill (H. R. 13449) to provide for the promotion of clerks and general mechanics in the motor-vehicle service was announced as next in order.

Mr. KING. I ask that that bill go over, and I also ask that the bill following it on the calendar may go over.

The PRESIDENT pro tempore. May the Chair be permitted to call the attention of the Senator from Utah to the fact that the two measures referred to by him are merely designed to provide for uniform promotion in all grades of the Postal Service?

Mr. KING. I received an inquiry as to whether or not there was any discrimination under the bills.

The PRESIDENT pro tempore. On the contrary, the bills are designed to obviate the discrimination that now exists.

Mr. KING. Then I have no objection. My informant was one who claimed that he should be benefited by the proposed legislation, but he was apprehensive that it would not benefit him.

The PRESIDENT pro tempore. The opinion of the present occupant of the chair, as chairman of the committee which heard and considered the measures, is that both House bill 13449 and House bill 13450 provide uniform methods of promotion in the Postal Service which were not provided in the earlier legislation, so that all discriminations which now exist will hereafter be obviated.

Mr. KING. I will ask the chairman of the committee, who now honors the chair, if complaints were made before the committee upon the ground that there was discrimination now, and were those who made complaints satisfied with the provisions of these measures?

The PRESIDENT pro tempore. Yes.

Mr. KING. Then I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13449) to provide for the promotion of clerks and general mechanics in the motor-vehicle service, which was read, as follows:

Be it enacted, etc., That section 6 of the act of February 28, 1925 (43 Stat. 1060, 1061, U. S. C., title 39, sec. 116), is amended by adding the following:

"Clerks and general mechanics in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade, to the next higher grade, until they receive the maximum pay prescribed for clerks and general mechanics in the reclassification act of February 28, 1925. In computing one year's satisfactory service, employees shall receive credit for time served in the grades established by the Postmaster General prior to January 1, 1925, as well as the grades created by the act of February 28, 1925, and the compensation of employees in the motor-vehicle service on January 1, 1925, shall be adjusted accordingly."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The bill (H. R. 13450) to provide for the promotion of clerks, general mechanics, driver mechanics, and garage men drivers in

the motor-vehicle service was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 6 of the act of February 28, 1925 (43 Stat. 1060, 1061, U. S. C., title 39, sec. 116), is amended by adding the following:

"In making promotions after one year's satisfactory service since the last promotion, clerks, general mechanics, driver mechanics, and garage men drivers in the motor-vehicle service, who have been transferred from one post office to another and who have not reached the maximum grade to which they are entitled to progress automatically, shall be given credit for previous service in the same capacity at other post offices, the same as if all service had been performed at one post office. This provision of law shall be effective as of January 1, 1925, and thereafter."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECEIPTS FOR ORDINARY MAIL

The bill (H. R. 56) to authorize the Postmaster General to issue receipts to senders for ordinary mail of any character and to fix the fees chargeable therefor was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRANSPORTATION OF FOREIGN MAILS

The bill (H. R. 6865) to prescribe more definitely the rates of compensation payable to steamships of United States registry for transportation of foreign mails was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECIPROCAL FREE POSTAGE FOR DIPLOMATIC CORRESPONDENCE

The bill (H. R. 12415) to grant freedom of postage in the United States domestic service to the correspondence of the members of the diplomatic corps and consuls of the countries of the Pan American Postal Union stationed in the United States was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUBSTITUTE CLERKS SERVING AS SPECIAL-DELIVERY MESSENGERS

The bill (S. 4981) to include in the credit for time served allowed substitute clerks in first and second class post offices and letter carriers in the City Delivery Service time served as special-delivery messengers was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the second proviso of section 4 of the act entitled "An act reclassifying salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensations on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (43 Stat. 1059; U. S. C., title 39, sec. 108), is amended to read as follows:

"That hereafter substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served, including time served as special-delivery messengers, on a basis of one year for each 306 days of eight hours served as substitute or messenger, and shall be appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF POSTMASTERS

The bill (S. 5255) for the relief of present and former postmasters and acting postmasters, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That on and after July 1, 1929, the provisions of section 6 of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes," approved May 10, 1916, as amended by the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, shall not be construed to apply where the total amount of the salaries actually paid to postal employees does not exceed \$2,000 per annum, and such employees shall be paid for services notwithstanding sections 1764 and 1765 of the Revised Statutes: *Provided*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of present and former postmasters and acting postmasters with payments made by them to postal employees, mail messengers, and other employees of the United States for dual services in post offices prior to July 1, 1929, contrary to said provisions of law

and also the provisions of sections 412 and 3850 of the Revised Statutes, and section 226 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909; and an appropriation of such sum as may be necessary is authorized to be appropriated out of postal revenues to enable the Comptroller General of the United States, where there is no other appropriation available, to credit said accounts and/or to pay to postal employees, mail messengers, and other employees of the United States sums refunded by them, or deducted from balances due to them by the United States, for dual services in post offices to and including June 30, 1929, under the laws herein named, as shown by the records of the General Accounting Office.

Mr. KING. Mr. President, I should like an explanation of that measure.

Mr. PHIPPS. Mr. President, perhaps I may give the Senator the information that is desired. I think the report on the bill covers it pretty thoroughly. In certain cases where special work was required of employees of the Post Office Department that work was assigned to them, overlooking the fact that there was a governmental regulation prohibiting the payment of two salaries to any individual. This is to cover a time when that had not been provided for.

Mr. KING. Does it not apply to the future as well as to the past?

Mr. PHIPPS. True. On their own responsibility, no doubt in ignorance of the law, postmasters have utilized the services of regular salaried employees in a dual capacity where the combined rate of salary or pay exceeded \$2,000 per annum. They have employed substitutes to perform temporary service as laborers, and laborers to perform temporary service as substitutes. This is to enable the department to straighten them out on the compensation which is justly due the people who performed the work.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

F. STANLEY MILLICHAMP

Mr. JONES. Mr. President, I was necessarily absent from the Chamber when we started on the calendar. I did not know that we were going to start on it. I understand that Order of Business 1572, House bill 11064, went over at the request of the Senator from Utah [Mr. KING]. It is a bill for the relief of F. Stanley Millichamp.

I just want to say that that bill is for the relief of a man on the Yakima Indian Reservation whose orchard was very badly damaged by fire set by the Government agents there, who permitted it to get into his orchard; and it damaged quite a good many of the trees, as set out in the report. The bill has passed the House and has been favorably reported by the Senate committee. The amount allowed is not all that the man claimed, by any means; but the report sets out the number of trees damaged, the estimated value, and so forth. I hope the Senator will withdraw his objection.

Mr. KING. Why does he not sue the Government agents for tort? Why is the Government responsible for the misdeeds of some particular man?

Mr. JONES. They might not be termed "misdeeds." The Government agents were cleaning up some adjoining land and started a fire on that land for a legitimate purpose; but they allowed the fire to get beyond their control, and possibly they were not negligent, but probably it was something they could not help. At any rate, this man certainly is not responsible at all. There was very severe damage to his orchard; and, as I say, the compensation carried by the bill is nothing like the amount by which he really thinks he was damaged.

I hope the Senator will withdraw his objection.

Mr. KING. Mr. President, I will withdraw my objection; but there is no question but that this is a bad precedent. We are providing now for making the Federal Government liable for every delinquency of its employees in every department, for their torts and misdeeds, no matter whether the damages are direct or consequential. The Federal Government is assuming the responsibility; and I give warning to the Senator that he is establishing a precedent and announcing a rule here that will be very dangerous to the Federal Government.

Mr. JONES. I hardly think that is the case.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11064) for the relief of F. Stanley Millichamp.

The bill had been reported from the Committee on Claims with an amendment, on page 1, after line 2, to strike out "That the sum of \$4,042 is hereby authorized to be paid" and insert "That the Secretary of the Treasury be, and he is hereby,

authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,042," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,042 to F. Stanley Millchamp, of Wapato, Wash., in full settlement of all claims against the Government for the burning of his orchard, and the damages resulting therefrom, caused by a fire set by Government employees under the Bureau of Indian Affairs of the Department of the Interior.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ROY M. LISSO, TRUSTEE

Mr. BROUSSARD. Mr. President, I ask unanimous consent to recur to Order of Business 1574, Senate bill 4819.

The PRESIDING OFFICER (Mr. BRATTON in the chair). The Senator from Louisiana asks unanimous consent to return to Order of Business 1574. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4819) for the relief of Roy M. Lisso, liquidating trustee of the Pelican Laundry (Ltd.), which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Roy M. Lisso, liquidating trustee of the Pelican Laundry (Ltd.), on account of work performed in May, June, and July, 1918, by the Pelican Laundry (Ltd.), the French Unique, and the Frazee Hat Co. in laundering and dry cleaning equipment of the United States Army, and to allow said claim in an amount not exceeding \$17,212.65 in full and final settlement of any and all claims arising out of work performed by either or all of said companies during the period mentioned. The sum of \$17,212.65, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated for the payment of said claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AIR MAIL CONTRACTS

The bill (S. 5443) to enable the Postmaster General to make contracts for the transportation of mails by air from island possessions of the United States to foreign countries and to the United States and between such island possessions, and to authorize him to make contracts with private individuals and corporations for the conveyance of mails by air in foreign countries, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Post Offices and Post Roads with amendments, on page 1, line 6, after the word "possessions," to insert "and Territories"; and on page 2, line 24, after the word "plus," to strike out "\$3" and insert "\$1," so as to make the bill read:

Be it enacted, etc., That the act of March 8, 1928, entitled "An act to grant authority to the Postmaster General to enter into contracts for the transportation of mails by air to foreign countries and insular possessions and Territories of the United States for periods of not more than 10 years and to pay for such service at fixed rates per pound or per mile, and for other purposes," be, and the same is hereby, amended to read as follows:

"SECTION 1. When in his judgment the public interest will be promoted thereby the Postmaster General is authorized to enter into contracts for air mail service on routes between the United States and possessions of the United States, between possessions of the United States, between the United States or possessions of the United States and foreign countries, and in and between foreign countries, for the transportation of mails of the United States and its possessions both ways over the routes, and in addition thereto mails of other countries on the outbound or the inbound flights under arrangements he may make with such countries, for periods of not more than 10 years, and to pay for such service at fixed rates per pound and/or per mile; and the Postmaster General is hereby authorized to award such contracts to the bidders that he shall find to be the lowest responsible bidders that can satisfactorily perform the service required to the best advantage of the Government: *Provided*, That the rate to be paid for such service for the load of mails provided by the Postmaster General to be carried in a plane shall not in any case exceed \$2 per mile each way, plus \$1 per pound per thousand miles, or pro rata thereof for greater or less mileage, for any mails required to be carried in the same plane in excess of the specified load, and that, at the request of the Postmaster General, domestic mail shall be conveyed without additional charge on that part

of the route in the United States to the border of the United States and to intermediate points: *Provided further*, That the Postmaster General may make arrangements with concessionaires operating air mail service in foreign countries for transportation by their service of mails of the United States and its possessions: *And provided further*, That in the award and interpretation of the contracts herein authorized the decision of the Postmaster General shall be final and not subject to review by any officer or tribunal of the United States except by the President and the Federal courts.

"SEC. 2. The Postmaster General shall make and issue such rules and regulations as may be necessary to carry out the provisions of this act.

"SEC. 3. All contracts heretofore made by the Postmaster General under section 1 of the act of March 8, 1928, entitled 'An act to grant authority to the Postmaster General to enter into contracts for the transportation of mails by air to foreign countries and insular possessions of the United States for periods of not more than 10 years and to pay for such service at fixed rates per pound or per mile, and for other purposes,' as originally enacted, may be amended under agreement of the parties thereto so as to provide for the transportation of excess mails and for transportation not covered by the existing contract of mails of the United States and its possessions or of foreign countries, at not exceeding the contract rate per mile and not exceeding the rates per pound provided in section 1 hereof for excess mails."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF POSTAL RECLASSIFICATION ACT

The bill (S. 5040) to amend the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, was announced as next in order.

Mr. KING. Mr. President, I should like an explanation of that bill.

Mr. MOSES. Mr. President, the explanation will be found in full in the report accompanying the measure.

This bill is designed to correct the last inconsistency arising from the salary act of February 28, 1925. We discovered, in the application of that act, that a fourth-class postmaster, as soon as his cancellations and receipts reached the point where he would be entitled to more than the \$1,000 salary which is provided under the old act, was immediately penalized upon going into the next class; so we merely established another grade.

The chances are that within a year the figures will show that the amount of money saved will take care of the \$100 increase in salary. I will not guarantee that to the Senator from Utah, but it is my conviction that we shall presently find that to be the fact.

Mr. KING. Mr. President, may I ask the Senator whether this increase extends to all grades?

Mr. MOSES. Oh, no! This is merely as a postmaster passes from the fourth class into the third class—that is, from the class where the appointment is made by the Postmaster General into the class where the appointment is made by the President.

Mr. KING. My information is, generally speaking, that the estimates of the receipts of the Post Office Department for the current year will show a deficit of more than \$9,000,000.

Mr. MOSES. Personally, Mr. President, I shall be very happy if it is not more than that.

Mr. KING. Up to date it is \$9,000,000; and I prophesy that it will be perhaps forty or fifty millions before the end of the fiscal year.

Mr. MOSES. I should not go that far, but I think it is going to be considerably more than \$9,000,000. However, this particular measure will not especially contribute to it.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Post Offices and Post Roads with amendments, on page 2, line 14, after "\$1,400," to strike out "\$1,900 but less than \$2,100, \$1,400"; in line 18, after "\$1,900," to strike out "\$2,400" and insert "\$4,200"; and on page 3, line 15, after "\$1,900," to strike out "por" and insert "per," so as to make the bill read:

Be it enacted, etc., That so much under the heading "Classification of postmasters" of section 1 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal

rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (U. S. C. title 39, sec. 53), as reads, "The third class shall embrace all those whose annual salaries are less than \$2,400 but not less than \$1,100," is amended, to take effect July 1, 1929, so as to read: "The third class shall embrace all those whose annual salaries are less than \$2,400 but not less than \$1,200."

SEC. 2. The fourth paragraph, under the heading "Reclassification of postal salaries," of section 1 of such act (U. S. C. title 39, secs. 54 and 51) is amended, to take effect July 1, 1929, to read as follows:

"Third class—\$1,500 but not less than \$1,600, \$1,200; \$1,600 but less than \$1,800, \$1,300; \$1,800 but less than \$2,100, \$1,400; \$2,100 but less than \$2,400, \$1,500; \$2,400 but less than \$2,700, \$1,600; \$2,700 but less than \$3,000, \$1,700; \$3,000 but less than \$3,500, \$1,800; \$3,500 but less than \$4,200, \$1,900; \$4,200 but less than \$5,000, \$2,000; \$5,000 but less than \$6,000, \$2,100; \$6,000 but less than \$7,000, \$2,200; \$7,000 but less than \$8,000, \$2,300: *Provided*, That when the gross postal receipts of a post office of the third class for each of two consecutive calendar years are less than \$1,500, or when in any calendar year the gross postal receipts are less than \$1,400, it shall be relegated to the fourth class: *Provided*, That postmasters at offices of the third class shall be granted for clerk hire an allowance of \$330 per annum where the salary of the postmaster is \$1,200 per annum; an allowance of \$420 per annum where the salary of the postmaster is \$1,300 per annum; an allowance of \$510 per annum where the salary of the postmaster is \$1,400 per annum; an allowance of \$600 per annum where the salary of the postmaster is \$1,500 per annum; an allowance of \$690 per annum where the salary of the postmaster is \$1,600 per annum; an allowance of \$780 per annum where the salary of the postmaster is \$1,700 per annum; an allowance of \$870 per annum where the salary of the postmaster is \$1,800 per annum; an allowance of \$960 per annum where the salary of the postmaster is \$1,900 per annum; an allowance of \$1,050 per annum where the salary of the postmaster is \$2,000 per annum; an allowance of \$1,140 per annum where the salary of the postmaster is \$2,100 per annum; an allowance of \$1,400 per annum where the salary of the postmaster is \$2,200 per annum; an allowance of \$1,600 per annum where the salary of the postmaster is \$2,300 per annum: *Provided further*, That the Postmaster General may modify these allowances for clerk hire to meet varying needs, but in no case shall they be reduced by such modification more than 25 per cent: *Provided, however*, That the aggregate of such allowances, as modified, shall not exceed in any fiscal year the aggregate of allowances herein prescribed for postmasters of the third class."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AUTHORITY OF COMMISSIONERS TO CLOSE STREETS IN THE DISTRICT

The bill (S. 5121) to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to close certain streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening, in accordance with the highway plan of other streets, roads, or highways in the District of Columbia, and for other purposes," approved January 30, 1925, was announced as next in order.

Mr. REED of Pennsylvania. Mr. President, I should like to ask the Senator who reported that bill what effect it will have on the opening of Fourteenth Street through the Walter Reed Hospital reservation?

Mr. VANDENBERG. Mr. President, that and several other questions that have arisen since the bill was reported have necessitated some additional amendments that are now in course of preparation, and I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SUBSTITUTE SEA POST CLERKS

The bill (H. R. 58) to authorize the assignment of railway postal clerks and substitute railway postal clerks to temporary employment as substitute sea post clerks was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 15279) for the relief of the family of Wang Erh-Ko was announced as next in order.

Mr. BLEASE. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

YELLOWSTONE NATIONAL PARK BOUNDARY COMMISSION

The joint resolution (S. J. Res. 206) to authorize the President of the United States to appoint a Yellowstone National Park Boundary Commission to inspect the areas involved in the proposed adjustment of the southeast, south, and southwest

boundaries of the Yellowstone National Park, was considered as in Committee of the Whole and was read, as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and directed to appoint a commission, consisting of five members, to be known as the Yellowstone National Park Boundary Commission, whose duty it shall be to inspect the areas involved in the proposed adjustment of the southeast, south, and southwest boundaries of the Yellowstone National Park, and report to the President its recommendations concerning such adjustment. The necessary expenses of such inspection shall be paid from any appropriation available for Yellowstone National Park.

Mr. KING. Mr. President, I should like to ask whether there is any limitation upon the life of this commission. We have appointed commissions from the beginning of the Government, and after they are appointed they never die. They find an excuse to perpetuate their existence.

Mr. KENDRICK. Mr. President, this joint resolution is to conclude the work of a boundary commission appointed by the President some time ago which made its report, and in the main the report was accepted and approved; but there are one or two other sections of the boundary which are still in controversy and which were not acceptable to the interested States, Wyoming and Idaho. It seemed, under the circumstances, that the best way out of the difficulty was to have a more complete and detailed survey made. This joint resolution is intended to take care of that situation, and to provide the Congress with the information it needs to determine exactly what ought to be done in connection with the proposed changes in the boundary.

Mr. KING. Would the Senator object to an amendment requiring the commission—because I feel sure that if the amendment is not offered it will prolong its existence—to make a final report by a certain date?

Mr. KENDRICK. I have no objection if the amendment is drawn so as to impose a reasonable limitation.

Mr. KING. I suggest the following amendment:

Provided, That said commission shall submit a final report to Congress on or before January 1, 1930.

Mr. KENDRICK. Mr. President, I believe it should be "on or before January 1, 1931," because this is an extensive piece of work.

Mr. KING. That will be entirely satisfactory.

The PRESIDING OFFICER. The amendment of the Senator from Utah, as modified, will be stated.

The CHIEF CLERK. It is proposed to insert, at the end of the joint resolution, the following:

Provided, That said commission shall submit a final report to Congress on or before January 1, 1931.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

AID TO SETTLERS ON FEDERAL RECLAMATION PROJECTS

The bill (S. 2829) to provide for aided and directed settlement on Federal reclamation projects was announced as next in order.

Mr. FESS. Mr. President, what is this bill?

Mr. KING. I should like an explanation of the bill. Is this the bill to allow a loan of \$3,000 to every person upon reclamation projects?

Mr. KENDRICK. The provisions of this bill are materially different from those of the bill referred to by the Senator from Utah. It differs primarily in the fact that it places a limitation of \$500,000 that may be loaned to settlers on reclamation projects who are unable to finance themselves locally in proceeding with their work of development. Owing to its unusual importance, I hope the Senator will permit it to be considered and passed.

Mr. FESS. I do not think it ought to be passed in five minutes.

SEVERAL SENATORS. Let it go over.

Mr. OVERMAN. I think the bill had better go over. I object to its consideration.

The PRESIDING OFFICER. The bill will be passed over on the objection of the Senator from North Carolina.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had agreed to the amendment of the Senate to each of the following bills:

H. R. 12032. An act to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted

personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, as amended; and

H. R. 13097. An act for the relief of Thomas W. Moore.

The message also announced that the House had disagreed to the amendment of the Senate to each of the following bills:

H. R. 6496. An act granting the consent of Congress to compacts or agreements between the States of New Mexico and Oklahoma with respect to the division and apportionment of the waters of the Cimarron River and all other streams in which such States are jointly interested;

H. R. 6497. An act granting the consent of Congress to compacts or agreements between the States of New Mexico, Oklahoma, and Texas with respect to the division and apportionment of the waters of the Rio Grande, Pecos, and Canadian or Red Rivers, and all other streams in which such States are jointly interested;

H. R. 6499. An act granting the consent of Congress to compacts or agreements between the States of New Mexico and Arizona with respect to the division and apportionment of the waters of the Gila and San Francisco Rivers and all other streams in which such States are jointly interested;

H. R. 7024. An act granting the consent of Congress to compacts or agreements between the States of Colorado and New Mexico with respect to the division and apportionment of the waters of the Rio Grande, San Juan, and Las Animas Rivers and all other streams in which such States are jointly interested; and

H. R. 7025. An act granting the consent of Congress to compacts or agreements between the States of Colorado, Oklahoma, and Kansas with respect to the division and apportionment of the waters of the Arkansas River and all other streams in which such States are jointly interested.

PENSIONS AND INCREASE OF PENSIONS

The bill (S. 4559) to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases, was announced as next in order.

Mr. NORBECK. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

FEDERAL PRISON CAMPS

The bill (H. R. 11285) to establish Federal prison camps was announced as next in order.

Mr. BLEASE. Mr. President, I would like to have some one state what this bill means. Does it mean that Federal prisoners are to be put out on the roads in camps? I would like to know whether that is the purpose of it. If no explanation is made, I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

FAMILY OF WANG ERH-KO

Mr. BINGHAM. Mr. President, I understand that the Senator from South Carolina objected to the consideration of House bill 15279, for the relief of the family of Wang Erh-Ko. He is now willing to withdraw his objection, and I ask unanimous consent that we may recur for a moment to that bill on the calendar.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the appropriation is hereby authorized, out of any money in the Treasury not otherwise appropriated, of the sum of \$875 as indemnity to the family of Wang Erh-Ko, late of the city of Peking, in the Republic of China, deceased, who was killed on January 4, 1927, by being struck by an automobile negligently operated, not in the line of duty, by members of the United States Legation guard in said Peking; such indemnity to be used for the purchase, on terms satisfactory to the American minister at Peking, of an annuity for the family of Wang Erh-Ko.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDNANCE MATERIAL FOR THE NAVY

The bill (H. R. 5491) to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes," approved July 12, 1921, was considered as in Committee of the Whole.

Mr. KING. I would like to have an explanation of that bill.

Mr. HALE. Mr. President, it has been the practice of the Navy Department to make transfers of used or obsolescent material of the Bureau of Ordnance to other bureaus of the Navy Department and to other departments of the Government; such

transfers of used and obsolescent material have resulted in considerable economy to the Government by saving the cost of purchasing new material.

Such material acquired by the Bureau of Ordnance since July 12, 1921, can not now be transferred by reason of the provision contained in the naval appropriation act of July 12, 1921, that is—

That hereafter no money appropriated for ordnance or ordnance material or materials purchased therewith shall be used for any other purpose than that for which appropriation was made.

This provision restricts and makes illegal the transfer of such used and obsolescent material and will finally prohibit transfers altogether.

The purpose of this bill is to so amend the act of July 12, 1921, that for the purpose of economy and saving of cost to the Government such transfers may continue to be made.

This bill provides that certain material can be transferred to the other departments or to other bureaus of the Navy Department, though the appropriation was not made specifically for that purpose. It would save money to the Government.

Mr. KING. Will this bill permit the Navy Department or any branch of it, when it receives an appropriation for a specific purpose and does not use it, to divert it and use it for some other purpose?

Mr. HALE. Not at all, Mr. President.

Mr. KING. That practice, I am afraid, is becoming too general. Instead of the money being covered back into the Treasury, where it should go if it is not used, it is manipulated, and I do not use the term in any offensive sense, and used for some other purpose.

Mr. HALE. I agree with the Senator that that should not be done.

Mr. KING. I have no objection.

The bill had been reported from the Committee on Naval Affairs with an amendment, on page 2, line 1, to strike out the words "apply to" and insert in lieu thereof the words "prohibit the transfer to other bureaus or departments of," so as to make the bill read:

Be it enacted, etc., That the second proviso under the heading "Contingent, Bureau of Ordnance," contained in the naval appropriation act approved July 12, 1921 (42 Stat. L. 128), is hereby amended to read as follows:

"Provided further, That hereafter no money appropriated for ordnance or ordnance material or material purchased therewith shall be used for any other purpose than that for which the appropriation was made, except that this provision shall not prohibit the transfer to other bureaus or departments of used or obsolescent material which is no longer needed for the purpose for which originally acquired.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NAVAL DENTAL CORPS

The bill (S. 2068) for the relief of certain officers of the Dental Corps of the United States Navy was announced as next in order.

Mr. KING. Mr. President, I would like to have an explanation of the bill.

Mr. ASHURST. Mr. President, this bill was introduced by the junior Senator from Minnesota [Mr. SCHALL]. He is absent from the Chamber, but I think he is on his way here. I have a copy of a report from the Secretary of the Navy, which is very short, and, if it be read, I am sure it will satisfy all Senators. I might say that the bill is purely for precedence purposes. It will not cost the Government any additional money, as the Secretary of the Navy says, and I think his letter would better be read. It is very short.

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk read as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, January 25, 1929.

The CHAIRMAN COMMITTEE ON NAVAL AFFAIRS,

House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: In my letter to you dated February 25, 1928, certain comment was made upon the bill H. R. 480 "For the relief of certain officers of the Dental Corps of the United States Navy." In that letter you were informed that the bill H. R. 480 had been referred to the Director of the Bureau of the Budget, who had informed the

Navy Department that the enactment of the proposed bill was in conflict with the financial program of the President.

I have the honor to invite your attention to paragraph 3 of my letter dated February 25, 1928, which reads as follows:

"The enactment of the proposed legislation would not directly result in any increased cost to the Government. It would, however, advance Lieut. Commander John R. Barber, Dental Corps, United States Navy, to a position where he would be eligible for selection for promotion to commander, and, if selected after the passage of the bill H. R. 480, he would be advanced in date of promotion from approximately January 1, 1929, to the date of the act, and the cost to the Government would be at the rate of \$600 per annum for such period."

Since the above was written, Lieutenant Commander Barber, Dental Corps, United States Navy, has been selected for promotion to the rank of commander, and is now eligible for promotion to that rank upon the promotion of his running mate, which will occur on or before February 17, 1929. Should the bill be enacted after promotion to the rank of commander of Lieutenant Commander Barber, Dental Corps, United States Navy, no additional cost will result. It will merely permit his active service (about seven months) as an assistant dental surgeon to be counted for precedence purposes. This service is already counted for pay purposes.

The bill, if enacted, will result in his having a new running mate assigned and will permit him to become eligible for selection to the rank of captain at an earlier date. However, no change in pay period will be involved in that promotion. Consequently, no additional cost will be involved.

On January 8, 1929, the above additional information as to cost was referred to the Bureau of the Budget. Under date of January 17, 1929, the Director of the Bureau of the Budget advised the Navy Department that since no additional cost would be involved under the provisions of the bill H. R. 480, that the relationship of the matter to the financial program of the President is not involved.

In view of the above, the Navy Department recommends that the bill H. R. 480 be enacted.

Sincerely yours,

CURTIS D. WILBUR,
Secretary of the Navy.

Mr. KING. I think the bill had better go over.

The PRESIDING OFFICER. The bill will be passed over.

POTASH PRODUCTION

The bill (H. R. 496) authorizing an appropriation for development of potash jointly by the Department of Agriculture and the Department of Commerce by improved methods of recovering potash from deposits in the United States was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OPEN EXECUTIVE SESSIONS

The resolution (S. Res. 309) to amend Rule XXXVIII so as to provide for consideration in open executive sessions of certain nominations was announced as next in order.

Mr. REED of Pennsylvania. Let that go over.

Mr. JONES. Mr. President, the resolution may just as well be indefinitely postponed, because there is another resolution that takes the place of it. Let it be indefinitely postponed.

The PRESIDING OFFICER. Without objection, Senate Resolution 309 will be indefinitely postponed.

NAVAL POST 110, AMERICAN LEGION

The bill (H. R. 12607) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of Naval Post 110, of the American Legion, the bell of the battleship *Connecticut* was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WARRANT OFFICERS, UNITED STATES NAVY

The bill (H. R. 5713) to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for the purpose of promotion to chief warrant rank, was considered as in Committee of the Whole.

Mr. KING. I would like to have an explanation of the bill.

Mr. HALE. Mr. President, the purpose of this bill is to remedy an injustice now suffered by some 15 pay clerks and some 70 other warrant officers by permitting their war service to be counted toward promotion from warrant-officer grade to commissioned-warrant grade.

Under the provisions of existing law boatswains, gunners, carpenters, machinists, and pharmacists become eligible for promotion to commissioned warrant rank "after six years from the date of warrant." Such warrant officers, therefore, in computing the 6-year period required for promotion to chief warrant rank are permitted to count all service rendered by them from the date of warrant, including service as temporary commis-

sioned officers in the regular Navy during war period. However, with respect to pay clerks the law is different; such officers, under act of March 3, 1915, become eligible for promotion to commissioned warrant rank of chief pay clerk only after six years' service as such pay clerk, not being permitted to count any prior or other service.

During the war many of these pay clerks were given temporary appointments as commissioned officers in the regular Navy, but upon reversion to their permanent warrant status as pay clerks such commissioned war service can not be counted for the purpose of promotion to chief pay clerk, because the law specifically requires such persons to render six years' service as a pay clerk before becoming eligible for promotion to the grade of chief clerk. All that this bill does is to put pay clerks on the same basis with the other warrant officers, which would be only fair to them.

Mr. KING. That is to say, clerks are to be promoted to be officers?

Mr. HALE. Pay clerks are entitled to warrant rank.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MACKENZIE MEMORIAL HOSPITAL, CHINA

The bill (H. R. 13428) for the relief of Mackenzie Memorial Hospital and German-American Hospital and Lau Ye Kun, all of Tientsin, China, was considered as in Committee of the Whole.

Mr. REED of Pennsylvania. Mr. President, why did not that bill go to the Committee on Foreign Relations? I have looked into the bill, and it seems to be entirely all right, but I think that bills of such a nature always go to the Committee on Foreign Relations.

Mr. HALE. I can not answer the Senator's question. The bill came to the Committee on Naval Affairs because it was considered in the House by the Naval Affairs Committee.

Mr. REED of Pennsylvania. I have no objection to it, except that we just passed a bill, House bill 15279, which is similar to this one, and which went to the Committee on Foreign Relations.

Mr. HALE. Does the Senator want to have an explanation of the bill?

Mr. REED of Pennsylvania. Not at all. I was just asking why it was not referred to the Committee on Foreign Relations.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORTS TO CONGRESS

The bill (S. 5621) to repeal paragraphs 127 and 128 of the act entitled "An act to discontinue certain reports now required by law to be made to Congress," approved May 29, 1928, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That paragraphs 127 and 128 of the act entitled "An act to discontinue certain reports now required by law to be made to Congress," approved May 29, 1928, are hereby repealed.

SEC. 2. The reports of the acts of the Philippine Legislature referred to in paragraph 127 of such act of May 29, 1928, and the acts and resolutions of the Legislature of Porto Rico referred to in paragraph 128 of such act of May 29, 1928, shall be continued as if such act of May 29, 1928, had not been enacted.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FEDERAL CONSTRUCTION CO. (INC.)

The bill (S. 4817) for the relief of the Federal Construction Co. (Inc.) was announced as next in order.

Mr. BLEASE. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

RELIEF OF CERTAIN ARMY OFFICERS

The bill (H. R. 4266) for the relief of certain officers and former officers of the Army of the United States, and for the settlement of individual claims approved by the War Department, was announced as next in order.

Mr. KING. I would like to have an explanation of that. Why should the Government be responsible? Let it go over.

The PRESIDING OFFICER. The bill will be passed over.

ERNEST J. HISCOCK

The bill (H. R. 4267) for the relief of Ernest J. Hiscock was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK F. MOORE

The bill (H. R. 3949) for the relief of Frank F. Moore was considered as in Committee of the Whole.

Mr. OVERMAN. I would like to have the bill read. The title does not always state what a bill is for.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to credit the account of Frank F. Moore, postmaster at Roscoe, Ill., in the sum of \$102, such sum representing the deficit in the account of the said Frank F. Moore, caused by fire to the post office on November 10, 1926, and for which casualty the said Frank F. Moore was in no way responsible.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. CASEY

The bill (H. R. 10624) for the relief of William J. Casey was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Treasurer of the United States is hereby directed to pay to William J. Casey, out of any money in the Treasury not otherwise appropriated, the sum of \$1,440 in full payment of claims against the United States for disability caused by injuries received while employed in the Quartermaster's Department of the United States Army at Fort Gibbon, Alaska.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LITTLE ROCK COLLEGE, LITTLE ROCK, ARK.

The bill (S. 1109) for the relief of Little Rock College, Little Rock, Ark., was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$670.09" and to insert in lieu thereof "\$1,451.41," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to reopen and allow credit in the property accounts of the Little Rock College, Little Rock, Ark., in the sum of \$1,451.41, representing certain articles of ordnance, quartermaster, and engineer property for which the said Little Rock College is held liable on reports or surveys, as follows: Nos. 7, 8, 11, 12, approved January 13, 1926, and No. 10, approved January 5, 1926.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES M. THOMAS

The bill (H. R. 1939) for the relief of James M. Thomas was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALMON PROPAGATION IN THE COLUMBIA RIVER DISTRICT

The bill (S. 4841) establishing a fund for the propagation of salmon in the Columbia River district was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments. The first amendment was, on page 1, line 5, after the word "hereby," to insert the words "authorized to be."

Mr. KING. Mr. President, I would like to ask the Senator from Oregon to make a brief explanation of what the bill would accomplish. I make the inquiry because a few years ago evidence was brought to the attention of the Senate, or at least to some of the committee, that licenses were given to the so-called canning trust—and I do not use the term "trust" offensively—under which it was denuding the salmon streams, and the loss of salmon in many of the streams was directly due to the maladministration of the law and to the privileges which were granted to salmon fishery organizations, that have a sort of a combine, as it was claimed, and that as a result of the conduct of the Government we might expect that all the streams would soon be denuded of their salmon.

Mr. McNARY. Mr. President, the situation described by the Senator from Utah does not exist at all in the northwestern section of the United States. I can not speak for the industry in the New England States.

Mr. KING. If the Senator will pardon me, the evidence to which I have referred related to the Northwest, and was brought to our attention particularly by the representative from Alaska. The Senator will recall that we had some legislation restricting the power of the Department of Commerce to license those canning industries.

Mr. McNARY. I do recall that. It related to the fisheries in Alaska waters, where they have what they called the king salmon, which is comparable to the chinook salmon of the Columbia River. But that affected only what they called the

"escapement," the number of salmon permitted to escape the nets and go into the upper waters for the purposes of spawning. That is not this situation at all.

In the estuary of the Columbia River, the dividing line between the States of Oregon and Washington, is a submerged island known as Sand Island. Originally that was a part of the mainland, a part of the Territory of Oregon.

In 1862 the Government attempted to fasten its claim to the island for military purposes, and after an opinion of the Department of Justice it was found that the State had fee simple title to the island. During the administration of President Lincoln, when Mr. Stanton was Secretary of War, the Government asked the State Legislature of Oregon to cede that island to the Government for military purposes only. The State of Oregon, complying with that request, did transfer the title to the Government for military purposes, as this was an outpost on the Columbia River, a most excellent place, at least at that time thought to be, for military purposes.

Subsequently the Government acquired property from the State on the south bank of the river, which is in the State of Oregon, where we now have Fort Stevens, an Army post. It never used Sand Island for military purposes. But during all of these years it has collected from the fishermen there and the cannery men fees and licenses until there has been an accumulation, over these years, of practically half a million dollars.

The States of Oregon and Washington are claiming that that money was collected in violation of the reason which induced the State of Oregon to convey the title to the Government, and that it ought to go back to the industry from which it was collected, namely, the salmon industry along the Columbia River, and the basin.

This money is not to be turned over to the States of Oregon and Washington. It is to be given to the Bureau of Fisheries of the Department of Commerce, with instructions that the money must be used for the maintenance and propagation of the salmon industry, from which the money came.

As a matter of justice, as a matter of decency, as a matter of principle, and also for a good use, I am asking that this money may be turned over to the Government through the agency of the Bureau of Fisheries to promote the industry which made the contribution.

Mr. KING. May I ask the Senator whether the fund is still intact in the Treasury of the United States?

Mr. McNARY. I can not say as to that. Probably it has become mixed with other funds after these long years.

Mr. KING. So it will require an appropriation from the Treasury?

Mr. McNARY. This is merely an authorization. I think, so long as there has been a misapplication of the use of the property which the State surrendered, that the money collected by the Government ought to go back to the industry. We are not asking that it go back to the State, but to that great industry which needs propagation and which is a great resource to those Western States.

Mr. KING. I think the State is a little slow in asserting its rights, whether moral or legal.

Mr. McNARY. I may say in answer to the Senator that it was not until the month of November of last year that the court of appeals, sitting in San Francisco, determined that the title still remained in the Government. There has been a dispute between the States of Washington and Oregon over the title, which was determined only last November. Immediately after that determination and as expeditiously as I could I prepared the bill, with the encouragement of the industry and the fishermen, and the Department of Commerce, which has recommended it.

Mr. KING. May I make just one further observation? Does the Senator believe, if the authorization is granted and the appropriation is made and the fish industry is developed pursuant to the bill, that there will be fair protection for the poor fishermen? I have had one hundred or two hundred letters from those poor fishermen along the Alaskan coast from the mouth of the Columbia River up—not so much from those fishing in the Columbia River—protesting against the injustice of the Department of Commerce in granting, as they did a few years ago, exclusive rights to some of the big canning industries, as a result of which some of the poor fishermen were driven out of business.

Mr. McNARY. If that were true, it would be a very just criticism, but I can state to the distinguished Senator from Utah that the mere preservation of the industry must in itself inure to the benefit of the poor fishermen. It has put him in business, and I do not know of any practice such as that about which the Senator complains. I am quite sure the Columbia River and its tributaries are free entirely from discriminations against the poor fisherman.

Mr. KING. The Senator will recall that the big canning companies put in traps and denuded some of the streams, and the men who had fished there for years were denied licenses and the fishing industry passed into the hands of a few big canning factories or trusts.

Mr. McNARY. I can assure the Senator we are working under a new era of freedom.

Mr. KING. I hope it is applicable to those fishermen in the North Pacific waters.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendments of the Committee on Commerce were, on page 1, line 8, after the word "received," to insert the numerals "1905"; in line 9, after the word "island," to strike out the word "Oregon" and to insert in lieu thereof the words "near the mouth of the Columbia River"; in line 10, before the word "grant," to insert the word "attempted"; and on page 2, line 12, after the word "moneys," to insert the words "authorized to be," so as to make the bill read:

Be it enacted, etc., That there is hereby established in the Treasury a fund to be known as the Columbia River salmon-propagation fund. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be paid into such fund, a sum equal to the sums heretofore received since 1905 by the United States as rental for fishing rights on Sand Island, near the mouth of the Columbia River, since the attempted grant of such land to the United States by the State of Oregon. All sums hereafter received by the United States as rental for fishing rights on such island shall be covered into such fund.

SEC. 2. All moneys in such fund are hereby reserved, set aside, and appropriated to be available for expenditure by the Secretary of Commerce for the propagation of salmon in the Columbia River district, including the establishment and operation of fish-cultural stations and fish hatcheries, the conduct of practical and scientific investigations and experiments relative to the salmon fisheries, and the diffusion of useful information relative thereto.

SEC. 3. No part of the moneys authorized to be appropriated by this act shall be expended in the construction, purchase, or enlargement of any fish hatchery or fish-cultural station or laboratory until the State in which such hatchery, station, or laboratory is to be located, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and fish culture and all operations connected therewith in any manner and at any time that may by the commissioner be deemed necessary and proper, any laws of the State to the contrary notwithstanding. The operation of any hatchery, station, or laboratory shall be suspended whenever the State ceases to accord such right, or whenever, in the judgment of the Secretary of Commerce, State laws and regulations affecting fish propagated are allowed to remain so inadequate as to impair the efficiency of such hatchery, station, or laboratory.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JONES. Mr. President, while I am very heartily in favor of the bill which has just been passed and am very glad to have it passed, nevertheless I desire to have it understood that I take this view of any issue relating to the title to Sand Island. There is quite a controversy between the States of Oregon and Washington with reference to the ownership of the island known as Sand Island. If there is any statement in the report on the bill or made in the remarks of the Senator from Oregon [Mr. McNARY] with reference to the title as giving it to Oregon, I simply want to take issue with such statements so that they may not be used hereafter in any possible controversy that might come up between the two States. I trust, however, the legislation being passed as it is, that there will be no further controversy between the two States in regard to Sand Island.

Mr. McKELLAR. The Senator does not want to be estopped?

Mr. JONES. No.

MONTANA STATE COLLEGE

The bill (H. R. 11510) for the relief of Montana State College was considered as in Committee of the Whole and was read.

Mr. WALSH of Montana. Mr. President, in line 11 the year "1927" should be "1923." I move that amendment.

The PRESIDING OFFICER. The amendment will be stated. The CHIEF CLERK. In line 11 strike out "1927" and insert "1923," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$8,535.87 to reimburse the Montana State

College at Bozeman, Mont., for services rendered in providing and supervising special field instruction of project trainees under the vocational rehabilitation act, during the period from March 24, 1923, to June 30, 1923.

Mr. BLEASE. Mr. President, I would like to ask the Senator what the bill means?

Mr. WALSH of Montana. The circumstances giving rise to the claim are set forth in some detail in a letter accompanying the report from the Director of the Veterans' Bureau. The Veterans' Bureau entered into a contract with the Montana State College.

Mr. BLEASE. That is sufficient. I have no objection.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONSTRUCTION AT MILITARY POSTS

The bill (H. R. 13825) to authorize appropriations for construction at military posts and for other purposes was considered as in Committee of the Whole. The bill had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert in lieu thereof the following:

Be it enacted, etc., That there is hereby authorized to be appropriated not to exceed \$16,619,210, to be expended for the construction and installation at military posts of such buildings and utilities and appurtenances thereto as may be necessary, as follows:

Albrook Field, Canal Zone: Dispensary, \$30,000.

Corundu, Canal Zone: Barracks, \$357,500.

France Field, Canal Zone: Barracks, \$360,000; noncommissioned officers' quarters, \$324,000; officers' quarters, \$427,200; dispensary, \$30,000.

Schofield Barracks, Hawaiian Department: Noncommissioned officers' quarters, \$100,000; officers' quarters, \$300,000.

Wheeler Field, Hawaiian Department: Noncommissioned officers' quarters, \$111,600; officers' quarters, \$150,000; dispensary, \$40,000.

Porto Rico: Barracks, \$144,000; noncommissioned officers' quarters, \$119,000; officers' quarters, \$396,250; nurses' quarters, \$36,000; headquarters building, \$20,000; chapel, \$20,000; recreation hall, \$10,000; storehouse, \$15,000; garage and repair shop, \$40,000; stables, \$40,000; hay and forage shed, \$3,000; wagon shed, \$6,000; incinerator, \$5,000; flagstaff, \$500; hospital, \$10,000.

Henry Barracks, Porto Rico: Barracks, \$352,000; noncommissioned officers' quarters, \$39,600; officers' quarters, \$192,500; hospital, \$35,000; stables, \$24,000; hay and forage shed, \$3,000; wagon shed, \$4,000; guardhouse, \$10,000; post exchange, \$10,000; chapel, \$20,000; headquarters building, \$15,000; recreation hall, \$10,000; storehouse, \$15,000; maintenance building, \$7,500; fire house, \$7,500; bakery, \$12,000.

Philippine Department: Signal depot warehouse, \$49,000.

Camp Devens, Mass.: Noncommissioned officers' quarters, \$36,000; officers' quarters, \$164,000.

Fort Jay, N. Y.: Hospital, \$400,000.

Mitchel Field, N. Y.: Noncommissioned officers' quarters, \$216,000; officers' quarters, \$660,000; hospital, \$150,000.

Fort Monmouth, N. J.: Noncommissioned officers' quarters, \$100,000; officers' quarters, \$250,000.

Plattsburg Barracks, N. Y.: Barracks, \$45,000; addition to hospital, \$55,000.

Raritan Arsenal, N. J.: Noncommissioned officers' quarters, \$42,000; hospital, \$50,000.

Fort Slocum, N. Y.: Barracks, \$180,000.

Fort Wadsworth, N. Y.: Barracks, \$50,000; noncommissioned officers' quarters, \$30,000.

Aberdeen Proving Ground, Md.: Hospital, \$60,000.

Carlisle Barracks, Pa.: Mess hall and kitchen, \$110,000.

Fort Humphreys, Va.: Noncommissioned officers' quarters, \$274,000.

Langley Field, Va.: Barracks, \$764,160; noncommissioned officers' quarters, \$216,000; officers' quarters, \$480,000; hospital, \$175,000; construction of a sea wall and for necessary fill, \$200,000.

Fort Leonard Wood, Md.: Noncommissioned officers' quarters, \$50,000; nurses' quarters, \$40,000; officers' quarters, \$210,000.

Fort Monroe, Va.: Officers' quarters, \$200,000.

Fort Benning, Ga.: Noncommissioned officers' quarters, \$526,000; officers' quarters, \$114,000; dispensary, \$60,000.

Fort Bragg, N. C.: Noncommissioned officers' quarters, \$144,000; nurses' quarters, \$80,000; officers' quarters, \$496,000; hospital, \$100,000.

Maxwell Field, Ala.: Officers' quarters, \$300,000; barracks, \$178,000; noncommissioned officers' quarters, \$188,150; quartermaster warehouse, \$45,000; quartermaster maintenance building, \$15,000; garage, \$40,000; fire station, \$15,000; guardhouse, \$20,000; post exchange, \$25,000; ordnance magazine, \$15,000; hospital, \$75,000; stables, \$20,000; railroad spur, \$5,000; telephone and telegraph system, \$31,250.

Camp McClellan, Ala.: Hospital, \$100,000.

Fort Benjamin Harrison, Ind.: Noncommissioned officers' quarters, \$54,000; service club, \$50,000.

Erie Ordnance Depot, Ohio: Hospital, \$75,000.

Fort Leavenworth, Kans.: Hospital ward, \$75,000.

Marshall Field, Kans.: Barracks, \$125,000; noncommissioned officers' quarters, \$144,000; officers' quarters, \$300,000.

Fort Riley, Kans.: Noncommissioned officers' quarters, \$114,000; nurses' quarters, \$36,000; officers' quarters, \$50,000.

Fort Snelling, Minn.: Officers' quarters, \$54,500.

Camp Normoyle, Tex.: Barracks, \$180,000.

Fort Sam Houston, Tex.: Noncommissioned officers' quarters, \$150,000; officers' quarters, \$250,000.

San Antonio Primary Training School, San Antonio, Tex.: Noncommissioned officers' quarters, \$61,200; officers' quarters, \$600,000; completion of hospital, \$50,000.

Fort D. A. Russell, Wyo.: Officers' quarters, \$112,000; barracks, \$40,000.

Fort Douglas, Utah: Noncommissioned officers' quarters, \$54,000; officers' quarters, \$75,000.

Letterman General Hospital, California: Hospital ward, \$150,000.

Camp Lewis, Wash.: Noncommissioned officers' quarters, \$93,000; officers' quarters, \$215,000.

March Field, Calif.: Noncommissioned officers' quarters, \$100,800; hospital, \$150,000.

Rockwell Field, Calif.: Noncommissioned officers' quarters, \$108,000; officers' quarters, \$150,000.

Army medical center, District of Columbia: Completion of Army Medical School, \$840,000; addition to power plant, \$50,000.

Walter Reed General Hospital, District of Columbia: Nurses' quarters, \$300,000; chapel, \$12,000, to be erected as supplementary to or in connection with the nonsectarian chapel, the erection of which was authorized by the act approved February 2, 1928; observation, tuberculosis, and infectious-disease wards and a laboratory and morgue, and the reconstruction of the third floor of the main building into an operating room, and for the necessary corridors, roads, walks, grading, utilities, and appurtenances thereto, \$90,000.

Bolling Field, D. C., or at a point on a military reservation in the vicinity of the District of Columbia to be selected by the Secretary of War: Radio and communication center, \$30,000.

SEC. 2. That the Secretary of War is hereby authorized and empowered to acquire by purchase or condemnation real estate adjacent to Bolling Field, Washington, D. C., for extension and development of said flying field; and there is authorized to be appropriated out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$666,000 for that purpose.

SEC. 3. That there is hereby authorized to be appropriated not to exceed \$5,139,842, to be expended for the construction and installation at military posts and at airports and landing fields of such technical buildings and utilities and appurtenances thereto as may be necessary, as follows:

Panama Canal Department, Albrook Field: Concrete runways, \$51,000.

France Field: Gas and oil storage system, \$10,000; paint, oil, and dope warehouse and appurtenances to hangar, \$13,016; concrete runway from hangars, \$52,000; 6-inch gasoline pipe line from Coco Solo, \$20,000; bombing range, \$3,555.

Hawaiian Department, new site: Improvement to landing field, \$623,000.

Hawaiian Department, air bases, \$22,000.

Wheeler Field: Hangars and field shop, \$79,000.

Boston Airport, East Boston, Mass., moving and reerecting technical buildings, \$15,000.

Mitchell Field, Long Island, N. Y.: Hangars, field shops, field warehouse, \$141,000; armament and parachute buildings, \$5,000; central heating plants, \$75,000.

Bolling Field, D. C.: Hangars, \$90,000; field shop, \$60,000; central heating plants, \$50,000; parachute and armament building, \$15,000; photographic building, \$36,000; radio building, \$10,000; concrete runways and aprons, \$53,700.

Langley Field, Va.: Hangars, \$524,590; field warehouse, \$100,000; headquarters and operations building, \$80,000; photo, radio, parachute, and armament buildings, \$76,000; central heating plants, \$100,000; gas and oil storage system, \$10,000; paint, oil, and dope warehouse, \$5,000; improvement of landing field, \$85,000; concrete runways, \$122,098.

Air Corps Tactical School, Maxwell Field, Montgomery, Ala.: Hangars, \$210,500; field shop, \$19,000; field warehouse, \$60,000; armament and parachute building, \$5,000; concrete runways, \$50,000; gas and oil storage system, \$5,000; school building, \$100,000.

Shreveport, La. (attack wing): Hangars, \$200,000; field shop, \$50,000; field warehouse, \$45,000; headquarters and operations buildings, \$85,000; radio, parachute, and armament buildings, \$25,000; gas and oil storage system, \$10,000; improvement to landing field, \$135,000.

Bowman Field, Louisville, Ky.: Hangar, \$50,000; radio, photographic, and shops, \$20,000; operations and administration building, \$20,000; gas and oil storage system, \$5,000; concrete runways, \$13,000.

Fairfield Air Depot, Fairfield, Ohio: Hangars, \$120,000; headquarters building, \$40,000; central heating plant, \$20,000; paint, oil, and dope warehouses, \$20,000.

Chicago Municipal Airport, Chicago, Ill.: Completion of Army Air Corps hangar, \$20,986.

Fort Leavenworth, Kans.: Completion of hangar, field shop, headquarters building, \$35,000; central heating plants, \$20,000.

Marshall Field, Fort Riley, Kans.: Completion of hangars, shops, and technical buildings, \$55,000; central heating plant, \$30,000.

Fort Crockett, Tex.: Night flying lighting system, \$3,775; runways, \$10,775.

Dryden, Tex.: Gasoline and oil storage system, \$2,821; operations building, \$5,000.

Duncan Field, San Antonio, Tex.: Hangars and depot shop building, \$220,000; oil reclamation house, \$13,000.

Lordsburg, N. Mex.: Operations building, \$5,000; gas and oil storage system, \$2,821.

Randolph Field, Tex.: Hangars, \$220,000; field shops, \$38,000; concrete runways, \$232,500.

Tucson, Ariz.: Operations building, \$5,000; concrete floor in hangar, \$1,705.

March Field, Riverside, Calif.: Hangars, field shops, field warehouse, \$75,000; gasoline and oil storage system, \$10,000; concrete runways, \$104,000.

Rockwell Field, Calif.: Hangars and field warehouse, \$45,000; field shop, \$100,000; construction of concrete runways, \$50,000.

SEC. 5. That the Secretary of War be, and he is hereby, authorized to transfer to the Petersburg National Military Park such portion of the Camp Lee Military Reservation, Va., as in his discretion may be required in connection with the establishment of the Petersburg National Military Park, as authorized by the act of Congress approved July 3, 1926.

SEC. 6. That the Secretary of War be, and he is hereby, authorized, in his discretion, to sell, upon such terms and conditions as he considers advisable, to the Fishers Island Corporation, or its nominee, a tract of land containing 1½ acres, more or less, said tract now forming the extreme northeasterly corner of the Fort H. G. Wright Military Reservation, situate on Fishers Island, in the State of New York, which said tract is no longer needed for military purposes, and to execute and deliver in the name of the United States and in its behalf, with and to the said the Fishers Island Corporation, or its nominee, any and all contracts, conveyances, or other instruments necessary to effectuate such sale, the proceeds of the sale of the property hereinbefore designated to be deposited in the Treasury to the credit of the fund known as the military post construction fund: *Provided*, That the Secretary of War shall have the said tract surveyed and appraised at the expense of the Fishers Island Corporation: *And provided further*, That the Secretary of War shall not sell said tract for a less consideration than the appraised value hereinbefore referred to.

SEC. 7. That the Secretary of War is hereby authorized to acquire, by purchase or otherwise, two tracts of land on the Atlantic seaboard, with necessary rights of way as may, in his discretion, be necessary in the proper defense of the Atlantic coast, and the sum of \$20,000 is hereby authorized to be appropriated from any funds in the Treasury not otherwise appropriated, which sum shall remain available until expended.

SEC. 8. That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$125,000 for the construction of a cannon powder blending unit at Picatinny Arsenal, Dover, N. J., to replace the one destroyed by fire on July 31, 1928.

SEC. 9. That a joint committee of Congress, to consist of five Senators, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, is authorized and directed to make a full investigation of the problem of the control of aircraft for seacoast defense, and to recommend to Congress as soon as practicable such legislation concerning aerial coast defense as it shall deem necessary or proper.

For the purpose of this resolution such committee is authorized to hold hearings, to sit and act at such times and places, to employ such experts and clerical, stenographic, and other assistance, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The expenses of the committee, which shall not exceed \$2,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

Mr. McKELLAR. Mr. President, will the Senator from Pennsylvania explain what is proposed by the bill?

Mr. REED of Pennsylvania. It is an authorization bill to carry out the housing program which has been already determined and approved by Congress, and also to carry out the purchase of the technical buildings for the Air Corps in accordance with their building program.

I may say that Senators will be interested to know that it provides for the acquisition of the land south of Bolling Field

so as to get those barracks and officers' quarters out of the swamp in which they are now. It also contains a number of other provisions which have either been passed by the Senate or by the House, and which it seemed desirable to embody in the one bill.

Mr. McKELLAR. Will the Senator, before he leaves the Bolling Field item, tell us whether or not it is the purpose to build a real airport at Bolling Field—to enlarge the present one and build a strictly first-class airport.

Mr. REED of Pennsylvania. Yes; it is the intention to make it first class, and we feel that it is not first class now.

Section 4 of the committee amendment with regard to the sale of a part of the land at Jeffersonville Barracks has been questioned by some Senators who say they want time to look into it. As the committee added it here more as a matter of convenience than anything else, I know that the committee would authorize me, in deference to the wishes of those Senators, to request that the committee amendment be amended by striking therefrom section 4, which relates to Jeffersonville Barracks.

Mr. SACKETT. The same matter is contained in another bill which is before the Senate now?

Mr. REED of Pennsylvania. Yes. I know Senators will acquiesce in it when they have had time to look into it.

The PRESIDING OFFICER. The amendment submitted by the Senator from Pennsylvania to the amendment of the committee will be stated.

The CHIEF CLERK. On page 14, strike out section 4 of the committee amendment, as follows:

SEC. 4. That the Secretary of War be, and he is hereby, authorized to sell, or cause to be sold, at either public or private sale, upon terms and conditions deemed advisable by him, the land situated in the city of Jeffersonville, Clark County, Ind., lying along the Louisville & Jeffersonville Bridge & Railroad Co.'s railroad right of way, comprising an area of approximately 7 acres and designated as parcel No. 1 on map of Jeffersonville Quartermaster Depot, on file in the office of the Quartermaster General, United States of America: *Provided*, That the expense of sale be paid from the proceeds thereof and the net proceeds deposited in the Treasury of the military post construction fund: *And provided further*, That the Secretary of War be required to have the parcel of land hereby authorized to be conveyed duly appraised by competent and disinterested persons and that the consideration received for the conveyance of said land be not less than the appraised value thereof.

The amendment to the amendment was agreed to.

Mr. REED of Pennsylvania. Mr. President, I desire to offer a further perfecting amendment. On page 16, line 19, in the first line of the second paragraph of section 9, I move to strike out the word "resolution" and insert the word "section."

The amendment to the amendment was agreed to.

Mr. VANDENBERG. Mr. President, as this bill came from the House there were certain authorizations regarding Selfridge Field. They were stricken from the bill by the committee. Since that time there has been an opportunity for investigation to demonstrate their propriety, and I understand the committee is now ready to restore them. I therefore offer the amendment which I send to the desk which will accomplish this purpose.

Mr. REED of Pennsylvania. A report from the war-plans division of the General Staff approved the continuation of the airport at Selfridge Field, Mich. In view of that decision I know the committee would not care to persist in its position under the circumstances.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 12, after line 24, insert:

Selfridge Field, Mich.: Officers' quarters, \$465,000; construction of a sea wall and for a necessary fill, \$230,400.

Selfridge Field, Mich.: Hangars and field shop, \$122,000; central heating plants, \$60,000; concrete runways, \$51,000; improvement of landing field, \$125,000.

The amendment to the amendment was agreed to.

Mr. HASTINGS. Mr. President, I desire to offer an amendment striking out the word "concrete" at certain places in the bill and to insert in lieu thereof the word "paved."

Mr. REED of Pennsylvania. That occurs in a number of places. The request from the War Department was for authorization for concrete. The Senator from Delaware suggests, and I think wisely, that we ought not to limit them to concrete as the material for paving. They ought to be allowed to use what in their opinion is the best paving material. Therefore I approve of the change of the word "concrete" to "paved" wherever it appears in the bill.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 11, in lines 3, 7, and 22, strike out the word "concrete" and insert in lieu thereof the word "paved"; on page 12, in lines 4, 9, and 19, strike out the word

"concrete" and insert in lieu thereof the word "paved"; and on page 13, in lines 17, 18, 19, 22, 24, and 25, strike out the word "concrete" and insert in lieu thereof the word "paved."

The amendment to the amendment was agreed to.

Mr. HAYDEN. Mr. President, I offer the following amendment to the amendment.

The PRESIDING OFFICER. The amendment will be stated. The CHIEF CLERK. On page 13, after line 19, insert the following:

Yuma, Ariz., operations, building, \$5,000.

Mr. HAYDEN. Mr. President, by the act of Congress approved May 29, 1926, there has been set aside near Yuma, Ariz., 160 acres of land for an aviation field, but there is no building upon it. The land was reserved with the understanding that the field was to be leveled and made available for use by the board of supervisors of Yuma County. The act provides that the airport is reserved for use by the War Department at any time. I visited that field last summer and it is now a bare, level piece of ground entirely suitable for aviation purposes. Yuma is halfway between Tucson and Los Angeles and military airplanes frequently stop there. Authorization should be made for the construction of a building at a limit of cost of \$5,000.

I ask to include as a part of my remarks a copy of the act to which I have referred, and direct particular attention to the last paragraph thereof.

The PRESIDING OFFICER. Without objection, it is so ordered.

The act referred to is as follows:

[Public, No. 314, 69th Cong.]

An act (H. R. 7911) to authorize the exchange of certain public lands and the establishment of an aviation field near Yuma, Ariz.

Be it enacted, etc., That in order that the entire southeast quarter of section 9, township 9, south of range 23, west of the Gila and Salt River meridian, Arizona, may be reserved for a public aviation field, the Secretary of the Interior is hereby authorized to issue unrestricted patent for any public land in said section 9 in exchange for the east half of the southeast quarter and the northwest quarter of the southeast quarter of said section 9.

SEC. 2. That upon the exchange being completed, the entire southeast quarter of said section 9 shall be reserved as a public field for the landing and taking off of aircraft of all descriptions: *Provided*, That the board of supervisors of Yuma County, Ariz., shall by resolution agree to assume the expense of clearing and maintaining the field, and that the following conditions are agreed to:

That operators of Government-owned aircraft shall always have free and unrestricted use of said field; that rules and regulations governing the operation of aircraft upon said field shall include and coincide with rules and regulations prescribed and promulgated by the War Department; that Government departments and agencies operating aircraft shall have the right to erect and install upon said land such structures and improvements as the heads of such departments and agencies may deem advisable, including facilities for maintaining supplies of fuel, oil, and other materials for operating aircraft; that in case of emergency, or in the event that it shall be deemed advisable by the Secretary of War, the War Department may assume absolute control of the management and operation of said field.

Approved May 29, 1926.

Mr. REED of Pennsylvania. Mr. President, I am glad to accept the amendment on the condition that the attitude of the conferees may be affected by a report from the War Department which we will ask for at once. We have no report from the War Department.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Arizona.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. REED of Pennsylvania. I ask unanimous consent that the clerk be authorized to correct the section numbers in so far as that action may be necessary.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTATE OF EDGAR C. BRYON

The bill (H. R. 3967) for the relief of the next of kin of Edgar C. Bryon was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government,

the sum of \$5,000 to the legal representatives of Edgar C. Bryon for his next of kin in full compensation for any claims arising out of death of such Edgar C. Bryon, who was struck and killed by an automobile truck in the service of the United States Post Office Department on October 2, 1919, in Brooklyn, N. Y., as a result of gross negligence on the part of the driver thereof and through no fault of his own, such driver having since been indicted for manslaughter in the second degree for such negligence.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS, DAYTON, OHIO

The bill (H. R. 132) authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers, at Dayton, Ohio, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Board of Managers of the National Home for Disabled Volunteer Soldiers be, and it is hereby, authorized and directed to cause to be erected at the central branch of said home at Dayton, Ohio, on land now owned by the United States, a sanitary fireproof hospital of a capacity for 500 beds. Such hospital shall include all the necessary buildings with the appropriate mechanical equipment, including roads and trackage facilities leading thereto, for the accommodation of patients, and storage, laundry, and necessary furniture equipment, and accessories, as may be approved by the Board of Managers of the National Home for Disabled Volunteer Soldiers.

SEC. 2. That in addition to the persons now by law entitled to the privileges of treatment in this hospital when constructed there shall be admitted and treated honorably discharged nurses (female) who have served with the armed forces of the United States in any war and who are disabled by diseases or wounds and by reason of such disability are either temporarily or permanently incapacitated from earning a living.

SEC. 3. That in carrying the foregoing authorization into effect the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby authorized to enter into contracts for the construction of the plant, or to purchase materials in the open market or otherwise, and to employ laborers and mechanics for the construction of the plant complete at a limit of cost not to exceed \$1,500,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROCKY FORD NATIONAL BANK, ROCKY FORD, COLO.

The bill (H. R. 12714) for the relief of the Rocky Ford National Bank, Rocky Ford, Colo., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of the Rocky Ford National Bank, of Rocky Ford, Colo., United States registered note No. K-1111428 in the denomination of \$100 of the Victory Liberty loan 4½ per cent convertible gold notes of 1922-23, inscribed "James O. Bartholemew," with interest from December 15, 1922, to May 20, 1923, without presentation of said note, the said note having been lost or destroyed after having been assigned in blank by the registered payee and being the property of the Rocky Ford National Bank; and the Secretary of the Treasury is hereby authorized and directed to also redeem in favor of the Rocky Ford National Bank, Rocky Ford, Colo., United States coupon notes Nos. F-6055335, G-7693827, and L-12363810, each of the \$50 denomination, of the Victory Liberty loan 4½ per cent convertible gold notes of 1922-23, with interest from June 15, 1922, to December 15, 1922, in the case of the first note above described, and with interest from June 15, 1922, to May 20, 1923, in the case of the last two notes above described, without presentation of said notes, said notes having been lost or destroyed, and being the property of the Rocky Ford National Bank: *Provided*, That the said notes shall not have been previously presented to the Treasury Department under such circumstances as would necessitate their redemption in favor of the person, firm, or corporation presenting them: *And provided further*, That the Rocky Ford National Bank shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of the said notes and the unpaid interest which had accrued thereon when the principal became due and payable, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, with condition to indemnify and save harmless the United States from any loss on account of the notes hereinbefore described.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TALBIRD & JENKINS

The bill (H. R. 10913) to compensate Talbird & Jenkins for balance due on contracts with Navy Department dated March 20 and October 9, 1919, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary be, and he is hereby, authorized and directed to pay Thomas Talbird and Heyward Jenkins, attor-

neys, doing business under the firm name of Talbird & Jenkins, Beaufort, S. C., out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$1,000 in full payment for the balance due on account of professional services rendered by the said Talbird & Jenkins under contracts with the Navy Department dated March 20, 1919, and October 9, 1919.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES H. SALLEY

The bill (H. R. 9716) for the relief of Charles H. Salley was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Charles H. Salley, of Salley, S. C., the sum of \$67 in full compensation for costs and disbursements as administrator of the estate of Jim Woodward, deceased.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONSTANT-FREQUENCY MONITORING RADIO STATION

The bill (S. 5550) to authorize the purchase by the Secretary of Commerce of a site, and the construction and equipment of a building thereon, for use as a constant-frequency monitoring radio station, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of Commerce be, and he is hereby, authorized to purchase a suitable site, provided a suitable site now owned by the Government is not available for the purpose, and to contract for the construction thereon of a building suitable for installation therein of apparatus for use as a constant-frequency monitoring radio station, and for the construction of a suitable roadway, power, and communication facilities, at a cost not to exceed \$50,000.

Mr. KING. Mr. President, I should like an explanation of that bill.

Mr. JONES. Mr. President, I will say to the Senator from Utah that a year or so ago in an appropriation bill we made an appropriation with which to buy equipment, apparatus, and so forth, necessary in connection with certain radio work. Now, the department informs us that—

This apparatus has been contracted for and is now in the course of production. It will be the most accurate apparatus of its kind in use.

I will read just a brief paragraph showing what use will be made of it:

To get the highest degree of efficiency and the results desired it is considered necessary that the apparatus be placed at some point near the center of the United States. It must be away from populous sections, free from electrical disturbances caused by the operation of other electrical equipment, and some distance from power lines. Several surveys have been made to ascertain if a suitable building could be leased in a location which would give us the advantages sought. Being unable to find a suitable building, it is proposed that authority be obtained to purchase the land and erect a suitable building on a site which would insure the efficiency required.

The limit upon the cost of the site and building is that they shall not cost to exceed \$50,000. In view of the tremendous expansion of the radio industry, and in view of the fact that we have authorized the purchase of the apparatus that is being secured, it seemed to the committee that it was very necessary to make provision for the site and building as recommended by the department.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COAST GUARD ACADEMY

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16129) to provide for the acquisition of a site and the construction thereon and equipment of buildings and appurtenances for the Coast Guard Academy, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to acquire in fee simple without cost to the United States a suitable site at New London, Conn., and to construct and equip thereon such buildings and appurtenances as he may deem necessary for the purpose of the United States Coast Guard Academy, all at a total cost not to exceed \$1,750,000, which amount, or so much thereof as may be necessary, is hereby authorized to be appropriated.

Mr. KING. Mr. President, I should like to have an explanation of that bill.

Mr. BINGHAM. Mr. President, at the request of the Senator from Utah, I will be very glad to make a brief explanation. The Government has three commissioned services—the Army, Navy, and Coast Guard. For each of those commissioned services is maintained an academy, one at West Point for the Army, one at Annapolis for the Navy, and one at New London, Conn., for the Coast Guard. At West Point and at Annapolis the Government has provided beautiful buildings, adequate grounds, and ample facilities, so that the young men who go there to secure their education to prepare them for their commissions are very proud of their surroundings. For the Coast Guard Service, also a commissioned service, under a similar status in every other way, we have not provided anything except the rather dilapidated buildings of an old fort, built about 1812, and in addition, two or three wooden buildings which were erected during the war as temporary structures for war purposes. They are entirely inadequate and are a disgrace to the Government. Frequently when young men from different parts of the United States who go there to be trained to receive commissions in the Coast Guard see the buildings which the Government offers for their training they give up the opportunity and return home, because it is actually a disgrace that the Government should continue to maintain the school under such conditions.

The citizens of New London, realizing what was happening, and being desirous of having the students of the Coast Guard School proud of the school, have, at their own expense, purchased a beautiful site on the banks of the Thames River, near the Connecticut College, the site containing about 45 acres, which they propose to give to the Government, so that the Government will not spend anything for the acquisition of the site. This bill merely authorizes the construction of buildings which are believed to be necessary and adequate for the purpose designed. I hope the Senator will not object.

Mr. KING. I shall not object, but I was wondering whether, in the Coast Guard Academy, the young men are educated who perform service in the work of enforcing the prohibition law. The Senator knows that a large number of the Coast Guard boats are used for prohibition-enforcement purposes.

Mr. BINGHAM. The boats of the Coast Guard, whether they are used for the protection of life, or for the rescue of wrecked ships, or for enforcing internal revenue laws, or the prohibition law, are commanded by commissioned officers of the United States, who are commissioned in the Coast Guard, and who are trained in the Coast Guard Academy.

Mr. KING. Is the personnel of the Coast Guard Service being increased?

Mr. BINGHAM. Only in so far as the appropriations made for that purpose allow of an increase. My recollection is that last year we increased the appropriation for the Coast Guard in order that there might be more vessels provided.

Mr. KING. Are not substantially all the activities of the Coast Guard confined to the prohibition service?

Mr. BINGHAM. The Senator from Washington can answer that question better than can I.

Mr. JONES. Not at all, Mr. President. The Coast Guard is about one of the oldest organizations in the Government.

Mr. KING. I know that, but I am speaking of its present activities.

Mr. JONES. No. It looks after wrecks, danger to vessels at sea, and all that sort of thing. It performs work of the greatest service outside of its activities in connection with prohibition enforcement.

Mr. OVERMAN. Mr. President, does this bill provide for an academy such as that at West Point and such as the Naval Academy at Annapolis, to which young men can be sent to be instructed for service in the Coast Guard?

Mr. BINGHAM. I will say to my distinguished friend from North Carolina that such an academy has been in existence for a number of years, but the Government has never provided the proper buildings for its use. It has only provided temporary structures.

Mr. OVERMAN. How are the cadets at the Coast Guard Academy selected?

Mr. BINGHAM. I shall ask the Senator from Washington [Mr. JONES] to answer that question.

Mr. JONES. They are selected by competitive examinations. Possibly in the future, as the service develops, the cadets to the Coast Guard Academy may be selected as are the cadets at the Military Academy and the midshipmen at Annapolis. There is a very limited number of Coast Guard cadets, I think to only about 120; so that the appointments can not be distributed as are appointments to West Point cadets; but the cadets are selected by competitive examination.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ETTA PEARCE FULPER

The bill (S. 5453) authorizing the payment of Government life insurance to Etta Pearce Fulper was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Director of the United States Veterans' Bureau is authorized and directed to pay to Etta Pearce Fulper, widow of William H. Fulper, late second lieutenant, supply officer, Second Battalion, New Jersey State Militia, the amount of his Government life-insurance policy No. K-446185, as if such William H. Fulper had been in Federal service when such policy was issued.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HERBERT TOLL

The bill (S. 4938) granting war-risk insurance to the estate of Herbert Toll was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That in the administration of the World War veterans' act, 1924, as amended, the war-risk insurance policy of Herbert Toll (claim No. XC-260475) shall be held and considered to have been in force on June 25, 1919, the date on which such Herbert Toll was killed in action at Romanovka, Russia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SETTLEMENT OF INDEBTEDNESS OF GREECE

The bill (H. R. 10760) to authorize the settlement of the indebtedness of the Hellenic Republic to the United States of America and of the differences arising out of the tripartite loan agreement of February 10, 1918, was announced as next in order.

Mr. BLAINE. I ask that that bill go over.

Mr. BURTON. Mr. President, I hope the objection to this bill will be withdrawn. We have criticized quite severely some of the stronger and larger nations of the earth in the discussions in the Senate in the last week or two. We now have an opportunity of doing something that is worth while for a small nation that is suffering very much for the lack of the appropriation provided in the bill. It is in pursuance certainly of a moral obligation if not a legal obligation of the highest quality.

Mr. SMOOT. Mr. President, let me say to the Senator from Wisconsin [Mr. BLAINE] that the basis of the settlement with Greece under this bill is 34½ per cent of the present cash value of the debt. With Italy the basis was 26½ per cent; with Yugoslavia it was 33 per cent. So this is a better settlement than that with either one of those countries.

Furthermore, I wish to say to the Senator that the bill proposes to carry out the agreement between France, Great Britain, and America with the Greek Government. Under that agreement we were to advance money to Greece, and a certain sum was advanced, but not our full proportion. England advanced her full proportion. Under this bill we will advance \$12,167,000 to make the amount advanced by the United States equal to that advanced by Great Britain and to carry out our contract, just as England has carried out her contract.

The settlement will be on the identical basis as England has settled with Greece for the money advanced by her in order that Greece might provide an army to cooperate with England and America during the war.

I think that the settlement is all that we could possibly ask under the conditions, and the bill merely carries out on our part a solemn agreement signed and delivered. If the bill shall pass, it will simply mean that we are doing just what England has done in the case of Greece under the agreement. I hope the Senator will not object.

Mr. BLAINE. I should like to inquire of the Senator the number of foreign governments which have not as yet settled their indebtedness to the United States?

Mr. SMOOT. The only countries with which we have not made settlements are Greece and France. Russia owes us \$178,000,000, with interest, and has been owing it to us ever since it was advanced a number of years ago; but we have not recognized Russia, and so we can not make any settlement with her. However, the other countries have all settled now, with the exception of France and Greece.

Mr. BLAINE. Including Austria?

Mr. SMOOT. Oh, yes; the bill providing for the settlement with Austria was passed the other day, and has been also passed by the House, and is now a law. This is the only debt outside of the debt of France still remaining unsettled. The Senator will remember that the representatives of France agreed to a settlement on the basis of about 52 per cent, but France refused to ratify that agreement, and I have never yet asked the Senate—and I made the statement once upon the floor of the

Senate that I would not ask the Senate—to consider a settlement with France until France should agree to the settlement which we had already made.

Mr. BLAINE. Mr. President, I shall make no objection to the consideration of the bill at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury, with the approval of the President, is hereby authorized to conclude an agreement for the settlement of the indebtedness of the Hellenic Republic (hereinafter referred to as Greece) to the United States of America under the terms and conditions as set forth in Senate Document No. 51, Seventieth Congress, first session. The general terms of the agreement shall be as follows:

(1) The existing indebtedness amounting to \$18,125,000 shall be funded over a period of 62 years. The computation of this indebtedness is set forth below:

Principal amount of obligations to be funded.....	\$15,000,000.00
Interest accrued and unpaid thereon to Dec. 15, 1922, at the rate of 4½ per cent per annum.....	744,333.79
Total principal and interest accrued and unpaid as of Dec. 15, 1922.....	15,744,333.79
Interest thereon at 3 per cent per annum from Dec. 15, 1922, to Jan. 1, 1928.....	2,383,588.88
	18,127,922.67
To be paid in cash by Greece upon execution of agreement.....	2,922.67
Total indebtedness to be funded.....	18,125,000.00

(2) The bonds aggregating in face amount \$20,330,000 (the existing indebtedness, as computed above, together with the interest to be paid in respect thereof) shall be paid in semiannual installments beginning July, 1928, up to and including January 1, 1990, on a fixed schedule, subject to the right of Greece to make such payments in three-year periods, any postponed payments to bear interest at 4½ per cent per annum, payable semiannually. The amount of the first annual installment shall be \$40,000, the annual installment to increase to \$350,000 in the eleventh year, which shall be the amount of each remaining annual installment.

(3) In addition to the payment of the bond maturing on January 1 or July 1 of any year, Greece shall have the right on such dates to make payments on account of any unmatured bonds of this series under such conditions as to notice or otherwise as the Secretary of the Treasury may prescribe.

(4) Any payment may be made at the option of Greece in any United States Government obligations issued after April 6, 1917, such obligations to be taken at par and accrued interest.

(5) To assist in the completion of the work of the Greek Refugee Settlement Commission, the Secretary of the Treasury is further authorized to advance to Greece out of the appropriation "Purchase of obligations of foreign governments," established under authority of the Liberty bond acts, the sum of \$12,167,000, for which Greece shall deliver to the Secretary of the Treasury its 20-year gold bonds bearing interest at the rate of 4 per cent per annum, payable semiannually, with provisions for a sinking fund sufficient to retire such bonds within 20 years.

(6) Greece shall, in accordance with the exchange of notes, dated January 18, 1928, between the United States and Greece and as set forth in Senate Document No. 51, Seventieth Congress, first session, furnish as securities for the loan referred to in paragraph (5), the excess of revenues under the control of the International Financial Commission, and shall procure the assurance of the service of the loan by that commission.

(7) Greece shall forego all claims for further advances under the tripartite loan agreement, dated February 10, 1918, and such agreement, so far as the United States and Greece are concerned, shall terminate upon the date on which the agreement authorized by this act becomes effective.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AWARD TO BETHLEHEM STEEL CO. EMPLOYEES

The bill (H. R. 5780) to provide for the further carrying out of the award of the National War Labor Board of July 31, 1918, in favor of certain employees of the Bethlehem Steel Co., Bethlehem, Pa., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the provisions of the act entitled "An act to provide for carrying out the award of the National War Labor Board of July 31, 1918, in favor of certain employees of the Bethlehem Steel Co., Bethlehem, Pa.," approved March 4, 1925, and amended March 3 and April 6, 1926, are hereby extended to include the claims for additional compensation for work performed as employees of the Bethlehem Steel Co. on contracts made by or under the authority of the Secretary of the Navy. For the purpose of this award, the findings of

the War Department Claims Board reporting the Navy's share as 24.99 per cent is approved, to be paid to such claimants as have filed claims in accordance with the act of March 4, 1925. All provisions contained in the said act of March 4, 1925, as amended, not in conflict with this act, are continued in full force and effect.

The unexpended balance of the appropriation carried by the act of March 4, 1925, as amended, or so much thereof as may be necessary for the purpose, is hereby made available for the payment of the claims herein referred to and for the payment of the incidental and necessary administrative expenses.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES O. WILLIAMS

The bill (H. R. 8807) for the relief of James O. Williams was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized to relieve James O. Williams, special disbursing agent for the State of Washington and the Territory of Alaska during the Fourteenth Decennial Census, from accountability or responsibility for losses for which he was accountable or responsible, by crediting his account with the sum of \$3,924, erroneously paid out by him in good faith, for subsistence, on the strength of certain travel authorizations during the period from August 14, 1919, to November 30, 1920.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RELIEF OF MISSOURI, MISSISSIPPI, LOUISIANA, AND ARKANSAS

The bill (S. 5201) to authorize an appropriation for the relief of the States of Missouri, Mississippi, Louisiana, and Arkansas on account of roads and bridges damaged or destroyed by floods of 1927 was announced as next in order.

Mr. McNARY. Mr. President, just a day or so ago that bill, which had been reported from the Committee on Agriculture and Forestry, was attached as an amendment to the Army appropriation bill. Therefore, the Senate bill now on the calendar should be indefinitely postponed.

Mr. BRATTON. Mr. President, in view of the fact that in conference the amendment may not remain in the appropriation bill, I suggest to the chairman of the committee that the bill be passed over for the present without prejudice.

Mr. McNARY. That is a very good suggestion, and I ask that that be done.

The PRESIDENT pro tempore. The bill will be passed over.

KATHERINA KAUTZ AND FRED G. KAUTZ

The bill (H. R. 11289) for the relief of Katherina Kautz and Fred G. Kautz, heirs of the estate of Christian F. Kautz, deceased, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Katherina Kautz and Fred G. Kautz, heirs of the estate of Christian F. Kautz, deceased, three United States certificates of indebtedness, series G, 1921, issued February 15, 1921, and matured July 15, 1921, serial Nos. 12823, 12824, and 12825 of the denomination of \$1,000 each, with interest at the rate of 5½ per cent per annum from February 15, 1921, to July 15, 1921, without presentation of the said certificates or the coupons representing interest thereon from February 15, 1921, to July 15, 1921, the certificates having been lost or stolen: *Provided*, That the said certificates shall not have been previously presented for payment and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *Provided further*, That the said Katherina Kautz and Fred G. Kautz as heirs shall first file in the Treasury Department a bond in the penal sum of double the amount of the certificates and the interest payable thereon, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost or stolen certificates of indebtedness herein described or the coupons belonging thereto.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MR. AND MRS. PETER J. EGAN

The bill (H. R. 12007) for the relief of Mr. and Mrs. Peter J. Egan was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTIN E. RILEY

The bill (S. 432) for the relief of Martin E. Riley was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffer-

ing injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Martin E. Riley, who contracted a disease while employed in a post office in Chicago, Ill., resulting in permanent physical disability, and his case is authorized to be considered and acted upon under the remaining provisions of such act, as amended: *Provided*, That a notice of such disease and claim for compensation are filed with the United States Employees' Compensation Commission by him not later than 60 days from the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SAWYER MOTOR CO.

The bill (H. R. 9043) for the relief of Sawyer Motor Co. was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

G. J. BELL

The bill (H. R. 10191) for the relief of G. J. Bell was announced as next in order and was read.

Mr. SMOOT. Mr. President, will the Senator reporting this bill explain it, or else have it read again?

Mr. TRAMMELL. Mr. President, I can explain the bill. It authorizes placing this man upon the compensation roll; but the facts are as follows:

This bill passed the House. It seems that this employee was connected with the War Department, working at Florence, Ala. While he was engaged in his employment in a pit where the temperature was quite excessive, but where he was required to work, he suffered a sunstroke, which afterwards resulted in his being paralyzed. The question came up as to whether or not he was entitled to compensation. The Compensation Commission held that the injury was not the result of the service. The House committee investigated the matter thoroughly and made quite a full report. I made the House report a part of mine. The House committee and the House itself decided that the injury was the result of this man's employment. The Senate committee also took that view of the matter, and we recommended the passage of the bill.

Mr. SMOOT. Mr. President, at what date did this injury happen? It was after 1916, was it not?

Mr. McKELLAR. In 1925, I will say to the Senator.

Mr. SMOOT. Why should we say here that his disability shall "be considered as total and permanent"—a total disability?

Mr. McKELLAR. The man is absolutely totally and permanently disabled, as shown by the proof.

Mr. SMOOT. The commission found otherwise, did they not?

Mr. McKELLAR. No; they did not.

Mr. SMOOT. If they did not so find, then he is entitled to compensation through the commission.

Mr. McKELLAR. No; their idea was that the injury was not connected with the service.

Mr. KING. In other words, it is proposed to overrule the commission.

Mr. SMOOT. I should like to have the bill go over to-day, and I will make inquiry about it.

Mr. McKELLAR. I hope the Senator will examine it and withdraw his objection.

Mr. SMOOT. I will ask the commission about it, and I assure the Senator—

Mr. HEFLIN. Mr. President, what is the objection of the Senator from Utah? This is my colleague's bill. As I understand, this man lives in Florence, Ala.

Mr. McKELLAR. He did originally. He is a resident of Tennessee now.

Mr. SMITH. Mr. President, do I understand from the Senator who had charge of the bill in the committee that this matter was investigated by both the Senate and the House committees?

Mr. McKELLAR. The bill was reported by the Senator from Florida [Mr. TRAMMELL].

Mr. TRAMMELL. That is correct.

Mr. SMOOT. The Employees' Compensation Commission heard the case. They decided that it did not fall under the law, and therefore it did not give the claimant a status for compensation. This bill is to override the decision of the commission. There is not any report here to show just why the commission did it.

Mr. McKELLAR. Oh, yes; there is.

Mr. SMOOT. All I ask is that the bill go over so that I may ask the commission why they did it.

Mr. McKELLAR. Would the Senator object to my reading a portion of the report to him? Perhaps he will not object after hearing the facts:

His duties in this connection were very strenuous and exacting, and while he was working on top of the dam, 118 feet high, where there was good ventilation, he was able to endure the intense heat of the sun as well as the heat from the steam pipe over his head. He was engaged in this work for about a year and nine months. He was then taken off the dam and put at the same kind of work in the bottom of the basin, about 30 feet under the bank of the river where he was exposed to the direct rays of the sun. The temperature at that point on June 1, 1925, was 110° F., and this heat, augmented by the intense heat from the uninsulated steam pipe over his head, caused him to be overcome by heat and he fell unconscious.

This man has been absolutely disabled ever since; and the proof in this record is that he is permanently disabled. Of course, if the Senator wants time to look into the matter, that is all right; but I hope he will withdraw his objection.

Mr. SMOOT. I assure the Senator that I shall write tomorrow morning to the Employees' Compensation Commission. I want to know why they refused this man compensation. I shall have no objection if the claim is straight.

Mr. McKELLAR. Very well.

The PRESIDENT pro tempore. The objection being maintained, the bill will be passed over.

DR. ANDREW J. BAKER

The bill (H. R. 11385) for the relief of Dr. Andrew J. Baker was announced as next in order.

Mr. KING. Mr. President, I feel constrained to object to the consideration of this bill. I have read the report and the findings of the chairman of the Compensation Commission, and there is no liability.

The PRESIDENT pro tempore. Objection being made, the bill will be passed over.

H. A. RUSSELL

The bill (H. R. 11749) for the relief of H. A. Russell was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN I. FITZGERALD

The bill (H. R. 7392) for the relief of John I. Fitzgerald was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMERICAN FOREIGN TRADE CORPORATION AND OTHERS

The bill (H. R. 8511) for the relief of the American Foreign Trade Corporation and Fils d'Aslan Fresco was announced as next in order.

Mr. KING. I should like an explanation of that bill, Mr. President.

The PRESIDENT pro tempore. The Senator reporting the bill is not in the Chamber.

Mr. KING. Let it go over for the present.

The PRESIDENT pro tempore. The bill will be passed over.

COLLECT-ON-DELIVERY POSTAL SERVICE, ETC.

The bill (H. R. 12898) to extend the collect-on-delivery service and limits of indemnity to sealed domestic mail on which the first-class rate of postage is paid was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NEZ PERCE TRIBE OF INDIANS

The bill (H. R. 12520) for the relief of the Nez Perce Tribe of Indians was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INDIAN IRRIGATION PROJECTS

The bill (H. R. 13977) authorizing the Secretary of the Interior to settle claims by agreement arising under operation of Indian irrigation projects was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEALTH REGULATIONS AND SCHOOL ATTENDANCE ON INDIAN RESERVATIONS, ETC.

The bill (H. R. 15523) authorizing representatives of the several States to make certain inspections and to investigate State sanitary and health regulations and school attendance on Indian reservations, Indian tribal lands, and Indian allotments, was considered as in Committee of the Whole.

Mr. KING. Mr. President, I had hoped the Senator from Oklahoma [Mr. PINE] would be here. The committee of which he is a member is now making some investigation of Indian conditions. I will ask the chairman of the Indian Affairs Committee whether this bill, in view of the work of his committee is regarded as necessary?

Mr. FRAZIER. Mr. President, this is a House bill. It was considered by the Senate committee, and the Senate committee is of the opinion that it is a step in the right direction. It allows certain State officials to go in and inspect schools as to their sanitary conditions, health conditions, and so forth. It will be of assistance to the department.

Mr. KING. I have no objection.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DONATION OF CANNON TO PHOENIX, ARIZ.

The bill (S. 5270) to authorize the Secretary of War to donate a bronze cannon to the city of Phoenix, Ariz., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to donate, without expense to the United States, to the city of Phoenix, Ariz., a bronze cannon marked as follows: "L'Obstinee ultima ratio regum no 4. Pluribus nec impar a Strassburg par Berenger 1756," now located at Fort Jay, N. Y.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BRIDGE NEAR SOBODA INDIAN RESERVATION, CALIF.

The bill (S. 5113) to authorize an appropriation to pay half the cost of a bridge near the Soboda Indian Reservation, Calif., was announced as next in order.

Mr. FRAZIER. Mr. President, the House has passed House bill 15092, which is identical with Senate bill 5113. I ask unanimous consent that the Committee on Indian Affairs be discharged from the consideration of that bill and that it be substituted for the Senate bill and passed.

Mr. KING. Mr. President, I confess to having a deep interest in the Indians. I will ask the Senator whether the Indians living upon this reservation, if there is a reservation, need this bridge—whether they should be charged with it?

Mr. FRAZIER. Oh, yes. The old bridge was washed away by a flood some months ago. There is a hospital on this reservation, but it is practically out of business, because during high water the Indians can not get over there and the physicians can not get over there.

Mr. KING. Is this a bridge to be used largely by the white people or by the Indians?

Mr. FRAZIER. Practically entirely by the Indians, so the information which comes to me indicates. I think it is a very worthy bill.

Mr. KING. Very well.

The PRESIDING OFFICER (Mr. FESS in the chair). The Senator from North Dakota asks unanimous consent that the Committee on Indian Affairs be discharged from the further consideration of House bill 15092, and that it be substituted for the Senate bill. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15092) to authorize an appropriation to pay half the cost of a bridge near the Soboda Indian Reservation, Calif.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 5113 will be indefinitely postponed.

ALABAMA AND COUSHATTA INDIANS OF TEXAS

The bill (S. 5519) to authorize the Secretary of the Interior to purchase land for the Alabama and Coushatta Indians of Texas, subject to certain mineral and timber interests, was announced as next in order.

Mr. FRAZIER. Mr. President, the House has passed House bill 16527, which is identical with Senate bill 5519. I ask unanimous consent that the Committee on Indian Affairs be discharged from the consideration of the House bill; that it be substituted for the Senate bill and passed; and that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. The Senator from North Dakota asks unanimous consent that the Committee on Indian Affairs be discharged from the further consideration of House bill 16527 and that it be substituted for the Senate bill. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16527) to authorize the Secretary of the

Interior to purchase land for the Alabama and Coushatta Indians of Texas, subject to certain mineral and timber interests.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGENCY SALARIES OF INDIAN SERVICE

The bill (S. 5563) to repeal that portion of the act of August 24, 1912, imposing a limit on agency salaries of the Indian Service, was announced as next in order.

Mr. FRAZIER. Mr. President, the House has passed House bill 16568, which is identical with Senate bill 5563. I ask unanimous consent that the Committee on Indian Affairs be discharged from the consideration of the House bill; that it be substituted for the Senate bill; and that the Senate bill be indefinitely postponed.

Mr. KING. I have no objection to the substitution; but I desire to ask the Senator, in view of the fact that his committee is now engaged in making a comprehensive study of the Indian question, including a study of the Indians upon the reservations and the dealings of the Indian Bureau with them, whether this legislation is proper.

The Senator knows that statements have been made by the Indian Bureau, when criticisms have been made of their administration and failure to secure adequate results, that all they need is more money and higher salaries. It seems that the Indian Bureau regards as a *sine qua non* to a proper working out of the Indian problem more employees and higher salaries. This bill seems to be in harmony with that view, and I think we ought to postpone legislation of this kind while the committee is making a comprehensive study of the entire Indian question.

Mr. FRAZIER. Mr. President, this bill would repeal an act that was passed August 24, 1912, limiting the amount to be paid as salaries in Indian agencies. Since that time the conditions have changed on a few reservations materially, especially some of the Oklahoma reservations; and I think the Senator from Oklahoma will bear me out in that statement.

The argument of the Department of the Interior was that it was impossible to take care of the present situation on some of those Oklahoma reservations, especially under the present law, with the present salaries provided.

Mr. KING. Mr. President, I want to say that I think the Indian Bureau—and I am not saying this by way of criticism—has not fully appreciated the grave situation of the Indians of the United States and the responsibilities which rest upon the department. As I have said, they are recommending more employees and larger salaries to meet the evils which are known to exist and to bring the Indians to a proper condition.

I do not think that is the way to meet the situation. We need more intelligent administration of the law, we need to repeal some laws, and to adopt more humane and a better policy in dealing with the Indians than is provided by the law to-day. I am not in favor of this bill until the Committee on Indian Affairs, of which the distinguished Senator from North Dakota is chairman, makes its report.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. THOMAS of Oklahoma. At the present time it costs more than \$20,000 a year to operate a number of the agencies. From year to year the Interior Department appropriation bill, in appropriating money, makes the extension, the extension amounting to a practical repeal of this provision of law for the time being.

Inasmuch as Congress violates this law by adding this provision to the appropriation bill from year to year, it is the intent of this measure to permanently repeal that law and fix the limit at fifteen or twenty thousand dollars a year. It has to do only with a practice that is now many years old; it deals with something we are constantly doing in violation of the law; and the law being not applicable and now being violated, the department wants to get rid of it. With that explanation, I think there should be no objection to this measure.

Mr. KING. There is some objection. The point I am making is this—and, of course, it involves no reflection upon my dear friend the Senator from Oklahoma—that the department makes its recommendations as a cure for this Indian problem, which has not been solved, and that increases the salaries and increases the number of employees.

We are not getting at the root of this very serious problem. We are not going to solve the Indian problem, we are not going to do justice to the Indians by hiring more white men and paying larger salaries. It may be necessary to employ more men and pay larger salaries, but in view of the fact that the Senate has directed the committee, after the bureau has fought for

years to prevent it, to make an investigation of the entire problem to see what ought to be done with the Indians and for them and in their behalf for their civilization, for their protection—and that committee is now working—I feel that we can pretermitt any legislation of this kind is necessary, I shall, of course, very cheerfully vote for it. But we have all conceded that the situation needs some remedy, and until the committee reports I shall feel constrained to object.

The PRESIDING OFFICER. On objection, the bill will go over.

UNION SHIPPING & TRADING CO. (LTD.)

The bill (S. 1979) for the relief of the Union Shipping & Trading Co. (Ltd.) was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the Union Shipping & Trading Co. (Ltd.) against the United States of America for damages alleged to have been caused by a collision on April 25, 1918, near Pauillac, in the Gironde River, France, between the Spanish steamship *Consuelo* (at the time of the collision the British steamship *Reims*) and the American steamship *Berwind*, then in the transport service of the United States War Department, may be sued for by the said Union Shipping & Trading Co. (Ltd.) in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the said Union Shipping & Trading Co. (Ltd.) or against the said Union Shipping & Trading Co. (Ltd.) in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That at the trial of said suit the written report or reports concerning said collision made by the pilot, master, any officer or member of the crew of the steamship *Berwind*, who is not available to testify because he is dead or can not be found, may be admitted in evidence: *Provided further*, That such notice of the said suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN L. JENIFER

The bill (H. R. 2492) to extend the benefits of the United States employees' compensation act of September 7, 1916, to John L. Jenifer, a former employee of the Government Printing Office, Washington, D. C., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE J. ILLICHEVSKY

The bill (H. R. 967) for the relief of George J. Illichevsky was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STORM DAMAGE IN SOUTH CAROLINA

Mr. SMITH. Mr. President, I ask unanimous consent to have a telegram I have received read and incorporated in the RECORD. It is very short.

The PRESIDING OFFICER. The clerk will read.
The Chief Clerk read as follows:

Hon. E. D. SMITH,
United States Senator:

Re tel. Damage to State highways alone by floods of August and September, 1928, estimated at \$650,000, and this amount already allotted by State highway commission for making repairs. Damage to other roads probably more than State highway, but no accurate estimates available.

CHAS. H. MOOREFIELD,
State Highway Engineer.

Mr. OVERMAN. Mr. President, I suppose the Senator is contemplating the offering of a measure for the reimbursement of his State for money spent in repairing the roads in his State, under the precedent set yesterday by the Senate in appropriating for other States which have suffered damage.

Mr. SMITH. I am just laying the foundation. At the proper time I shall introduce a measure, hoping that there may

be extended to my State the same generosity that has been extended to others that have suffered.

Mr. GLASS. In other words, the Senator from South Carolina did not get his Christmas gift this time, and he wants to get it the next time.

Mr. SMITH. Santa Claus has already passed on, and I did not get an opportunity to get anything in the stocking at all. Therefore I am preparing so that justice may be done all parties suffering.

Mr. GLASS. The Senator means in order that equal injustice may be done.

Mr. SMITH. We will not differ about the terminology if I get the money.

FOREST SERVICE TRAIL-CREW RELIEF

The bill (H. R. 12711) for the relief of certain members of a trail crew employed by the Forest Service was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to W. A. Coleman, \$50; Robert T. Hardin, \$59; Roy McGregor, \$25; James Innis, \$46; Frank Eaton, \$56; William Ward, \$43; William Kane, \$59; and Lowell Palmerton, \$45, these respective amounts on account of losses sustained by them when called from their regular duty as members of a trail crew by order of the Forest Service to fight forest fires during July, 1926, in the Coeur d'Alene National Forest.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JESSIE L. KINSEY

The bill (S. 5326) for the relief of Jessie L. Kinsey was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of Jessie L. Kinsey, postmaster at Beach, N. Dak., in the sum of \$479.90, due the United States on account of the loss of postal funds resulting from the failure of the First National Bank of Beach, Beach, N. Dak.: *Provided*, That the said Jessie L. Kinsey shall assign to the United States any and all claims she may have to dividends arising from the liquidation of said bank.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES J. HUNT

The bill (H. R. 10327) for the relief of Charles J. Hunt was announced as next in order.

Mr. KING. I would like to have the bill go over for the present.

The PRESIDING OFFICER. The bill will be passed over.

ARMY DISBURSING OFFICERS' ACCOUNTS

The bill (H. R. 7166) to allow credit in the accounts of disbursing officers of the Army of the United States on account of refunds made to purchasers of surplus war supplies was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments.

The first amendment was, on page 2, line 6, to strike out "Capt. H. B. Lovell, Finance Department, \$7,912.66," and a semicolon.

Mr. KING. Mr. President, will not the Senator from Pennsylvania explain the bill?

Mr. REED of Pennsylvania. Mr. President, this is a bill which came from the Committee on Claims, but I have examined the report on it, and it seems to be intended to square the accounts of the Comptroller General and those officers who had to do with the sale of surplus war supplies and who made admittedly proper refunds to various purchasers on account of shortages of goods or return of their bid money, but the Comptroller General held they had no authority to do it without a bill being passed.

Mr. McKELLAR. Does the Comptroller General recommend it?

Mr. REED of Pennsylvania. I am not certain of that. I think it appears in the report, however. The details of the various refunds are all given in the report, and the Committee on Claims felt that they were entirely justified. The report from the Comptroller General I see states:

In view of the facts relative to the payments in question, as above set forth, this office will interpose no objection to the legislation proposed by the bill.

The amendment was agreed to.

The next amendment of the committee was, on page 2, line 13, after "\$180," to insert a colon and the following proviso: "Provided, That any amounts otherwise due to said disbursing officers by reason of refunds of income taxes and which amounts have been credited by the Comptroller General of the United States to disallowances in their accounts with the United States be refunded to them," so as to make the bill read:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of the disbursing officers of the Army of the United States named herein in the several amounts indicated, representing payments made by direction of local boards of sales control as authorized refundments to purchasers of surplus war supplies for which credit has been disallowed by the General Accounting Office in the audit of their accounts, to wit: Capt. Francis J. Baker, Finance Department, \$59,273.11; Lieut. Col. Ward Dabney, Quartermaster Corps, \$2,708.04; Capt. E. O. Hopkins, Finance Department, \$3,981.40; Capt. P. G. Hoyt, Finance Department, \$2,054.13; Capt. M. T. Legg, Finance Department, \$17,459.52; Lieut. Col. S. B. McIntyre, Finance Department, \$3,039.10; Capt. E. C. Morton, Finance Department, \$629.58; Capt. A. J. Maxwell, Finance Department, \$601.91; Capt. L. L. Simms, Finance Department, \$6,246; Maj. E. B. Spiller, Finance Department, \$274.63; Capt. E. W. Wilson, Finance Department, \$180: *Provided*, That any amounts otherwise due to said disbursing officers by reason of refunds of income taxes and which amounts have been credited by the Comptroller General of the United States to disallowances in their accounts with the United States be refunded to them.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PENSIONS AND INCREASE OF PENSIONS

The bill (H. R. 16522) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment was, on page 4, line 18, after the words "rate of," to strike out "\$12" and insert "\$20," so as to read:

The name of Ida Wilkinson, widow of William H. Wilkinson, late of Company E, First Regiment Ohio Volunteer Infantry, war with Spain, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 9, after line 4, to strike out:

The name of Marie P. Wilson, widow of Maj. William P. Wilson, late of the Ordnance Department, United States Army, Regular Establishment, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 18, after the words "rate of," to strike out "\$20" and insert "\$12," so as to read:

The name of Nancy R. Gibbs, widow of Joseph Z. Gibbs, late of the Ninety-ninth Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of each minor child of the soldier until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 12, line 15, after the words "rate of," to strike out "\$12" and insert "\$20," so as to read:

The name of Laurance L. Percy, late of Company L, Fifth Regiment Massachusetts Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 20, after the words "rate of," to strike out "\$20" and insert "\$12," so as to read:

The name of Maggie Crecelius, widow of Elmer Crecelius, late of Company C, Twentieth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 13, line 5, after the words "rate of," to strike out "\$12" and insert "\$20," so as to read:

The name of Arthur Searls, late of Company I, First Regiment Ohio Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 13, line 8, after the words "rate of," to strike out "\$12" and insert "\$20," so as to read:

The name of John W. Kahl, late of the Thirtieth Company, United States Signal Corps, war with Spain, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 13, line 24, after the words "rate of," to strike out "\$15" and insert "\$12," so as to read:

The name of Charles Sabins, late of the Sixth Battery, Iowa Volunteer Light Artillery, war with Spain, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 17, line 7, after the words "rate of," to strike out "\$20" and insert "\$12," so as to read:

The name of William Darrah E. Shelmire, late of the United States Navy, war with Spain, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 17, after line 18, to strike out:

The name of Vernon L. Johnson, late of Company B, Second Regiment Missouri Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$90 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, line 21, after the word "month," to insert "in lieu of that he is now receiving," so as to read:

The name of John G. Heck, late of the Seventy-fifth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, line 6, after the words "rate of," to strike out "\$20" and insert "\$30," so as to read:

The name of Susie G. Gambin, widow of Orville L. Gambin, late of the United States Navy, war with Spain, and pay her a pension at the rate of \$30 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 9, to insert:

The name of Austin T. Rogers, late of Twenty-ninth Battery, United States Field Artillery, and pay him a pension at the rate of \$10 per month.

The name of John H. Isiley, late of Company C, of Instruction, General Recruiting Service, Columbus Barracks, Ohio, and pay him a pension at the rate of \$10 per month.

The name of Emma Braunlich, widow of Charles Braunlich, late of Troop F, Sixth Regiment United States Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Frank Trout, late of One hundred and nineteenth United States Coast Artillery Corps, and Company B, Ninth United States Ammunition Train, and pay him a pension at the rate of \$24 per month.

The name of Margaret Shirkley, widow of John A. Shirkley, late of Battery C, Fifth United States Artillery, and pay her a pension at the rate of \$12 per month.

The name of George P. Ives, late of Company A, Second Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Charles Bess, late of Company M, Eighteenth United States Infantry, and pay him a pension at the rate of \$17 per month.

The name of Arthur H. Egleston, late of Company M, First Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Marion M. Gray, widow of Hawthorne C. Gray, late of United States Hospital Corps, and captain of Thirty-fourth Regiment United States Infantry, and pay her a pension at the rate of \$40 per month and \$4 per month for each of three minor children until 16 years of age, to commence May 15, 1928, in lieu of that she is now receiving.

The name of Rudolph Lange, late of Company A, Third Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Roy H. Fisher, late of the One hundred and sixteenth Company, United States Coast Artillery Corps, and pay him a pension the rate of \$24 per month in lieu of that he is now receiving.

The name of John Brennan, late of Battery D, Fourth United States Artillery, and pay him a pension at the rate of \$20 per month.

The name of Marcellus Red Tomahawk, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Hugh Swifthawk, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Thomas Stoneman, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Eugene Little Soldier, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of William Redbear, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Daniel Ojinca (Bobtail Bull), late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Leo Bear Weasel, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Gabriel Grayeagle, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Antoine Onefeather, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Joseph Whitebird, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Oliver Looking Elk, sr., late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Walcott Shootswalking (or Wakutemani), late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Jacob Crossbear, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Joseph Paints Brown, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of \$20 per month.

The name of Mary Brownman, widow of Elias Brownman, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay her a pension at the rate of \$12 per month.

The name of Mary Loneman, widow of John Loneman, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay her a pension at the rate of \$12 per month.

The name of Martina Goodelk, widow of Edward Goodelk, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay her a pension at the rate of \$12 per month.

The name of John H. Sullivan, late chief train master of the Fourth Army Corps, and pay him a pension at the rate of \$20 per month.

The name of George Bauman, late of Naval Recruiting Rendezvous, United States Navy, and pay him a pension at the rate of \$12 per month.

The name of John A. Bohman, late of Hospital Corps, United States Army, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Marjorie G. Buchanan, widow of Richard B. Buchanan, late of United States Marine Corps, and pay her a pension at the rate of \$30 per month, and \$4 per month additional for each minor child under 16 years of age, in lieu of that she is now receiving.

The name of Patrick Mahr, late of Ordnance Department, United States Army, and pay him a pension at the rate of \$17 per month.

The name of Mary E. Short, widow of Asa Calvin Short, late of Pendleton County Volunteers, Oregon Militia, and pay her a pension at the rate of \$12 per month.

The name of Mary A. McClure, widow of Henry L. McClure, late of Company G, Second Regiment Idaho Militia, and pay her a pension at the rate of \$12 per month.

The name of Absalom F. Price, late of Company G, Second Regiment Idaho Volunteer Militia, and pay him a pension at the rate of \$20 per month.

The name of Andrew J. Smith, late of Company G, Second Regiment Idaho Militia, and pay him a pension at the rate of \$20 per month.

The name of Benjamin F. Jackson, late of the One hundred and twenty-sixth Company, United States Coast Artillery, and pay him a pension at the rate of \$12 per month.

The name of Henry E. Heppner, late of Capt. F. C. Sell's company, Grant County Home Guards, Oregon Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Henry Grant Guild, late of Capt. E. C. Sell's Grant County Home Guards, Oregon Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Dorothy Simpson, helpless child of Charles J. Simpson, late of Company K, First District of Columbia Infantry, and pay her a pension at the rate of \$20 per month.

The name of Helen F. Lasher, widow of Oren E. Lasher, late of United States Naval Academy, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Blaine E. Davis, late of Company B, Twenty-seventh Regiment United States Infantry, and pay him a pension at the rate of \$17 per month.

The name of Allie Porter, widow of Charles J. Porter, late of Troop M, Eighth United States Cavalry, and pay her a pension at the rate of \$12 per month, which rate should be withheld to recover \$1,032 unlawfully drawn by her from May 4, 1920, to July 4, 1927, in cashing checks due to soldier.

The name of Charles Morse, late of Company A, First Separate Battalion, Colored National Guard Infantry, and pay him a pension at the rate of \$8 per month.

The name of Edna Angell, widow of Thomas G. Angell, late of Company F, Twenty-seventh Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$20 per month and \$30 per month when she attains the age of 60 years.

The name of William H. Blake, late of Battery C, Thirteenth United States Field Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary Carswell, widow of Donald Carswell, late of Company A, Seventh Regiment United States Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Ruth K. Calland, helpless child of James B. Calland, late of Company B, First Rhode Island Infantry, and pay her a pension at the rate of \$20 per month.

The name of Margarete Weidlich, widow of Robert Weidlich, late of Troop I, Eighth United States Cavalry, and pay her a pension at the rate of \$20 per month and \$2 per month for each minor child under 16 years of age in lieu of that she is now receiving.

The name of William Hart, late of Troop I, Fourth United States Cavalry, and pay him a pension at the rate of \$17 per month.

The name of George F. Wiggins, late of the United States Navy, and pay him a pension at the rate of \$12 per month.

The name of Carol B. Hough, late of the United States Navy, and pay him a pension at the rate of \$17 per month.

The name of Laura Peterson, helpless child of Eskild C. Peterson, late of Capt. George Tucker's company, Utah Militia Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Caleb D. Brenton, late of Capt. Edward Guest's Utah Militia, and Capt. Orson P. Myers's company, Utah Militia, and pay him a pension at the rate of \$12 per month.

The name of Nathan A. Barrett, late of Capt. Caleb Hawes's company, Utah Militia, and pay him a pension at the rate of \$12 per month.

The name of Marie Myers, widow of George F. Myers, late of Band, Eighth United States Cavalry, and Company D, Eighth United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of George F. Kilburn, late of Troop H, Seventh United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of George A. Atkinson, late of United States Navy, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Jacob T. Arrasmith, late of Captain Emmett Wilson's organization of Oregon Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Thadeus Cherry, late of Company H, Thirty-first Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Mary Coleman, widow of Patrick Coleman, late of Company K, Nineteenth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The name of Allan H. Browning, late of Troop K, Fourteenth United States Cavalry, and pay him a pension at the rate of \$17 per month.

The name of Jackson St. John, late of Battery D, Fourth United States Artillery, and pay him a pension at the rate of \$12 per month.

The name of Chalmers A. King, late of Company M, Fiftieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Ethel M. Oppen, late of Army Nurse Corps Reserve, and pay her a pension at the rate of \$12 per month.

The name of Robert Martin, late of Second Battalion, Fifth United States Field Artillery, and pay him a pension at the rate of \$20 per month.

The name of Thomas M. McDonell, late of Company I, First Regiment West Virginia Infantry, and pay him a pension at the rate of \$20 per month.

The name of Lester L. Karns, late of Company M, Eighteenth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Carlotta Padilla De Martinez, widow of Jose M. De Martinez, late of Company D, First Regiment New Mexico Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Sarah Farmer, widow of James Farmer, late of Captain Allred's company, Sanpete County Militia, and pay her a pension at the rate of \$12 per month.

The name of Cedenia Willis, widow of Merrill E. Willis, late of Capt. John Steel's company, Utah Militia, and Capt. Albert Minnerly's company, Utah Militia Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Albert Schrank, late of Company B, Twenty-second Regiment United States Infantry, and pay him a pension at the rate of \$20 per month.

The name of Charles L. Shaeffer, late of Company F, Nineteenth Regiment United States Infantry, and pay him a pension at the rate of \$20 per month.

The name of James J. Jordan, late of Company A, Seventh Regiment United States Infantry, and pay him a pension at the rate of \$20 per month.

The name of Robert J. Chapman, late of Battery A, First Regiment Indiana Field Artillery, and pay him a pension at the rate of \$10 per month.

The name of William B. Harrison, late of Medical Department, United States Army, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel Porter Conway, late of United States Navy, and pay him a pension at the rate of \$12 per month.

The name of Julius Perkins, late of Troop F, Ninth United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of James W. Melton, late of Third Company, United States Coast Artillery, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of William Caspar, late of United States Navy, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Lizzie K. Owens, widow of Walter W. Owens, late of Company H, Ninth Regiment New York Infantry, and pay her a pension at the rate of \$20 per month.

The name of Ralph P. Bell, late of Battery C, Sixteenth United States Field Artillery, and pay him a pension at the rate of \$12 per month.

The name of Florence J. Frazier, former widow of George E. Crane, late of Battery E, Third United States Artillery, and pay her a pension at the rate of \$12 per month.

The name of Annah E. Core, widow of George E. Core, late of Company G, Twelfth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month and \$30 per month when it is shown she has attained the age of 60 years.

The name of Bertram C. Hayner, late of Company C, Twenty-eighth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Wesley Adcock, late of Capt. J. L. Sperry's Company C, First Regiment, Third Brigade, Pendleton Volunteers of Oregon, and pay him a pension at the rate of \$20 per month.

The name of Edmond A. Hart, later of Capt. A. C. Smith's company, Oregon Militia, and pay him a pension at the rate of \$12 per month.

The name of Oliver D. Ferguson, late of Capt. John Sperry's company, Umatilla Guards, Oregon Militia, and pay him a pension at the rate of \$12 per month.

The name of Max Lillenthal, late of Company H, Second Regiment, United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Frank M. Bowman, late of Capt. James Ewart's company, Washington Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Samuel W. Sims, late of Capt. Peter Pence's company, Idaho Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Felix Shaser, late of Capt. Sam Packwood's company, Washington Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Jacob E. Rego, late of Capt. Sam Packwood's company, Washington Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Harry Breeze Johnson, late of Company M, Sixteenth Regiment, United States Infantry, and pay him a pension at the rate of \$20 per month.

The name of Robert B. Early, late of Battery —, Twenty-second United States Field Artillery, and pay him a pension at the rate of \$20 per month.

The name of Walter H. Caswell, late of Company D, First Regiment Washington Infantry, and pay him a pension at the rate of \$20 per month.

The name of Annie McKinnie, dependent mother of John Neal, late of Company A, Tenth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of Andrew C. Weatherstone, late of Company H, Two hundred and third Regiment N. T. Infantry, and Company F, Ninth Regiment United States Infantry, and pay him a pension at the rate of \$20 per month.

The name of Samuel H. Anderson, late of quartermaster's department, Seventh Regiment United States Cavalry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The name of Vance K. Stewart, late of Company G, Twenty-second Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of John P. Classi, late of General Mounted Service, United States Army, and pay him a pension at the rate of \$10 per month.

The name of William Nellis, late of Company E, Twenty-eighth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Otto S. Langum, late of Company I, Thirteenth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Harlow Hewett, late of Company F, Second Regiment Nebraska Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Fred Erton, late of Company B, Twenty-ninth Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lenore La Hue, widow of Harve La Hue, late of Company H, Twenty-second Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The name of Henry E. D. Patee, late of United States Navy, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Jessie L. Kilgore, widow of Edward G. Kilgore, late of Capt. O. C. Applegate's company, Oregon Volunteer Militia, and pay her a pension at the rate of \$12 per month.

The name of George Myers, late of Battery K, Third Regiment United States Artillery, and pay him a pension at the rate of \$17 per month.

The name of John A. Ritter, late of Company B, First Battalion Nevada Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of William M. Sherman, late of Troop A, Eighth Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of Thomas L. Freeman, late of Troop A, First Regiment United States Volunteer Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Georgia Young, widow of William A. Young, late of Company C, Second Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Lucy C. Senges, widow of William H. Senges, late second lieutenant, Air Corps Reserve, and pay her a pension at the rate of \$24 per month and \$4 per month additional for each minor child under 16 years of age.

The name of Bertha H. Barnes, widow of Charles Erskine Barnes, late of Company F, Twenty-seventh Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Louis P. Mosseau, late Indian scout, United States Army, and pay him a pension at the rate of \$12 per month.

The name of Clara J. Gillespie, dependent mother of Edward D. Gillespie, late of Battery D, Fifth Regiment United States Field Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary Anna Cooper, widow of Alva C. Cooper, late of Company D, Twenty-second Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of James A. McKinley, late of Company D, Fortieth Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Mary R. Gehlbach, widow of William C. Gehlbach, late of the Seventy-third Company, United States Coast Artillery Corps, and pay her a pension at the rate of \$12 per month and \$2 additional per month for each minor child under 16 years of age.

The name of George Peirce, late of Capt. William Bierbauer's company, Mankato Riflemen, Minnesota State Militia, and pay him a pension at the rate of \$20 per month.

The name of Lewis J. Kenney, late of Company B, Eighth Regiment United States Infantry, and pay him a pension at the rate of \$20 per month.

The name of George W. Smith, late of Capt. Sam Packwood's company, Washington Volunteers in 1877 and 1878, and pay him a pension at the rate of \$12 per month.

The name of Marietta K. Johnson, widow of William E. Johnson, late of Company A, Second Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The name of John R. Gilbert, late of Capt. Orlando Robbins's Company A, Idaho Volunteers, Capt. H. J. Maxon's company of Volunteers, Idaho Home Guards, and pay him a pension at the rate of \$12 per month.

The name of James C. Virdin, late of Troop A, Second Regiment United States Volunteer Cavalry, and pay him a pension at the rate of \$12 per month.

The name of Fredrik S. Ross, late of United States Navy, and pay him a pension at the rate of \$12 per month.

The name of John G. Brickel, late of Company A, Twenty-first United States Infantry, and pay him a pension at the rate of \$20 per month.

Mr. SHIPSTEAD. Mr. President, I propose an amendment on page 33, line 17, in the committee amendment in the item for Samuel H. Anderson. After the words "rate of," I move to strike out "\$25" and insert "\$30."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LOYAL SHAWNEE INDIAN TREATY

The bill (S. 5127) to carry into effect the twelfth article of the treaty between the United States and the Loyal Shawnee Indians, proclaimed October 14, 1868, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with amendments, on page 2, line 11, to strike out "20" and insert "10"; and on the same page, line 19, to strike out all after the word "State" down to the period in line 22, as follows: "and which receipt, release, and relinquishment shall be approved by the Commissioner of Indian Affairs and the Secretary of the Interior and which shall be binding when executed and approved on all parties thereto," so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$109,746.25, and the Secretary of the Treasury be, and he is hereby, authorized and directed to pay said sum to the Indians of the Loyal Shawnee Tribe, their heirs, or legal representatives, in accordance with the official findings, arbitration award, and report of the Secretary of the Interior to Congress made in pursuance of the twelfth article of the treaty between the United States and the Loyal Shawnee Indians, proclaimed October 14, 1868 (15 Stat. L. 513); which claims are similar to but not included with those of the Shawnee Indians for whom an appropriation was made by act of December 22, 1927 (Public. No. 2, 70th Cong., 1st sess.): Provided, That out of said sum there shall be paid to the duly authorized attorney for said Indians, as evidenced by contracts executed by said Indian claimants or their then living heirs, during the years 1903, 1904, and 1905, 10 per cent of the above amount in full satisfaction of such contract or contracts: And provided further, That before payment of the amount hereby authorized to be appropriated the Indian beneficiaries or their legal representatives entitled to said awards shall execute in writing a receipt, release, and relinquishment of any and all claims arising under the twelfth article of said treaty which they may have against the United States.

A committee of five male adult members of the Loyal Shawnee Tribe, to be selected under the direction of the Commissioner of Indian Affairs, with its headquarters at Vinita, Okla., shall execute a release on behalf of all beneficiaries having no legal representatives.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KANSAS OR KAW TRIBE OF INDIANS

The bill (H. R. 8901) to amend and further extend the benefits of the act approved March 3, 1925, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of what-

ever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes," was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHEROKEE, SEMINOLE, CREEK, CHOCTAW, AND CHICKASAW INDIAN SUITS

The joint resolution (H. J. Res. 343) authorizing an extension of time within which suits may be instituted on behalf of the Cherokee Indians, the Seminole Indians, the Creek Indians, and the Choctaw and Chickasaw Indians to June 30, 1930, and for other purposes, was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COOS AND OTHER INDIANS

The bill (H. R. 13692) authorizing the Coos (Kowes) Bay, Lower Umpqua (Kalawatset), and Siuslaw Tribes of Indians of the State of Oregon to present their claims to the Court of Claims was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND RESOLUTION PASSED OVER

The bill (H. R. 4084) for the relief of the persons suffering loss on account of the Lawton, Okla., fire, 1917, was announced as next in order.

Mr. PHIPPS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5769) to authorize the consolidation and coordination of Government purchases, to enlarge the functions of the General Supply Committee, and for other purposes, was announced as next in order.

Mr. KING. I would like to have an explanation of the bill. It is a very long measure. Let it go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 12203) to authorize the designation and bonding of persons to act for disbursing officers and others charged with the disbursement of public money of the United States was announced as next in order.

Mr. SACKETT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1688) for the relief of Gabriel Roth was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 16422) making appropriations for the government of the District of Columbia, and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1930, and for other purposes.

The PRESIDING OFFICER. The bill will go over.

The resolution (S. Res. 258) directing the Federal Trade Commission to reinstate the complaint against the Continental Baking Corporation was announced as next in order.

Mr. REED of Pennsylvania. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

CIVIL SERVICE RETIREMENT

The bill (H. R. 13565) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved July 3, 1926, was announced as next in order.

Mr. BLEASE. Let that go over.

Mr. DALE. Mr. President, will not the Senator withhold his objection for a moment?

Mr. BLEASE. Certainly.

Mr. DALE. I would like to say, in explanation of this bill, that it carries no appropriation whatever, and places nobody on the rolls. Under the retirement act a person in the service should apply for retention in the service 30 days before he reaches retirement age. Most of the men affected by this bill were employed in the office of the Architect of the Capitol, and there was a question as to whether they came within the purview of the act, and therefore they did not make application for retirement. It was later decided that these employees came within the intended scope of the act, but their positions now on the roll are irregular because of the date of retirement having passed. This simply gives the Civil Service Commission authority to examine into the conditions as to those men, and if they find that they were passed over in error, to allow them to be retained in the service. They are in the service and are drawing their salaries. This would simply rectify a technical wrong under the law.

Mr. BLEASE. I have no objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROMOTION OF NAVAL OFFICERS

The bill (H. R. 14039) to regulate the distribution and promotion of commissioned officers of the line of the Navy, and for other purposes, was announced as next in order.

Mr. KING. That may go over.

The PRESIDING OFFICER. The bill will be passed over.

MERGER OF DISTRICT STREET RAILWAYS

The joint resolution (S. J. Res. 208) to authorize the merger of the street railway corporations operating in the District of Columbia, and for other purposes, was announced as next in order.

Mr. McKELLAR. Over.

Mr. CAPPER. Mr. President, I wish to say as to the merger joint resolution that I hope to get a preferred status for it at an early date so that we may have ample opportunity for its discussion. It is a very important matter to the people of the District of Columbia.

The PRESIDING OFFICER. On objection, the joint resolution will be passed over.

COLORADO-NEBRASKA-WYOMING COMPACTS

The bill (S. 5573) granting the consent of Congress to compacts or agreements between the States of Colorado, Nebraska, and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the States of Colorado, Nebraska, and Wyoming to negotiate and enter into compacts or agreements providing for an equitable division and apportionment between such States of the water supply of the North Platte River and of the streams tributary thereto and of other streams in which such States are jointly interested.

SEC. 2. Such consent is given upon condition that a representative of the United States, to be appointed by the President, shall participate in the negotiations and shall make report to Congress of the proceedings and of any compact or agreement entered into.

SEC. 3. No such compact or agreement shall be binding or obligatory upon either of such States unless and until it has been approved by the legislature of each of such States and by the Congress of the United States.

SEC. 4. The right to alter, amend, or repeal this act is herewith expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CUARTEL LOT, MONTEREY, CALIF.

The bill (H. R. 12347) granting all right, title, and interest of the United States to the piece or parcel of land known as the Cuartel lot to the city of Monterey, Calif., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That all the right, title, and interest of the United States in the piece or parcel of land known as the Cuartel lot, situated in the city of Monterey, State of California, is hereby granted for municipal purposes to the said city of Monterey as the successor in interest of the Mexican Government.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIMAN GEOGRAPHIC CODE

The bill (S. 5722) to provide for the purchase of the use of the Harriman Geographic Code System was announced as next in order.

Mr. REED of Pennsylvania. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PULASKI SESQUICENTENNIAL COMMISSION

The joint resolution (H. J. Res. 304) providing for the observance and commemoration of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski, and establishing a commission to be known as the United States Pulaski sesquicentennial commission, was considered as in Committee of the Whole and was read, as follows:

Resolved, etc., That there is hereby established a commission to be known as the United States Pulaski sesquicentennial commission (hereinafter referred to as the commission) and to be composed of five commissioners, as follows: One person to be appointed by the President of the United States, two Senators by the President of the Senate, and two Members of the House of Representatives by the Speaker of the

House of Representatives. Any vacancy in the office of a commissioner shall be filled in the same manner as the original appointment. The commissioners shall serve without compensation therefor from the United States. The commission shall select a chairman from among its members.

SEC. 2. The commission is authorized to arrange in cooperation with any organization or society without cost to the United States an appropriate observance and commemoration to take place in the month of October, 1929, of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski, and to participate, on behalf of the United States, in such manner as it deems advisable, in any other observance or celebration of such anniversary which may be held in the United States during the year 1929.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STATUE OF MAJ. GEN. GEORGE W. GOETHALS

The bill (S. 4964) to authorize the erection of a suitable statue of Maj. Gen. George W. Goethals within the Canal Zone was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the President of the United States is authorized, through such person or persons as he may designate, to select an appropriate site within the Canal Zone and to cause to be erected thereon a suitable statue of heroic size of Maj. Gen. George W. Goethals in commemoration of his signally distinguished services in connection with the construction and operation of the Panama Canal.

SEC. 2. The design and location of such statue and the plan for the development of the site shall be submitted to the Commission of Fine Arts for advisory assistance.

SEC. 3. There is hereby authorized to be appropriated a sum not to exceed \$100,000 for every object connected with the purposes of this act, including site development and any essential approach work.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH ROBINS PENNELL

A joint resolution (S. J. Res. 58) to relieve Elizabeth Robins Pennell from necessity of providing a surety on her bond for the benefit of the United States as residuary legatee and remainderman under the will of Joseph Pennell, was considered as in Committee of the Whole and was read, as follows:

Whereas Joseph Pennell, of Philadelphia, Pa., by his will dated January 7, 1919, and a codicil thereto dated September 29, 1924, gave the residue of his estate to his wife, Elizabeth Robins Pennell, for life, and upon her death to the United States of America, for the division of prints of the Library of Congress, to be administered by the proper officers thereof upon the terms and conditions in his said will provided; and

Whereas the said Joseph Pennell died April 23, 1926, and Elizabeth Robins Pennell, executrix, filed her account of decedent's estate in the office of the register of wills of Philadelphia County, Pa., and the same was adjudicated and confirmed absolutely by the orphans' court of the said county on the 6th day of May, 1927, and the balance shown by said account awarded to Elizabeth Robins Pennell, to be held as directed by decedent's will, upon the entry of security by her in the sum of \$400,000, under section 23 of the fiduciaries act of Pennsylvania; and

Whereas the premium on a surety bond would have to be paid out of the income of decedent's estate and thereby greatly reduce the income which the said Elizabeth Robins Pennell would receive during her life; and

Whereas the said Elizabeth Robins Pennell has requested Congress to take such action as may relieve her from the necessity of providing a surety on her bond (so conditioned): Therefore be it

Resolved, etc., That the United States of America hereby waives any claim for security from the said Elizabeth Robins Pennell other than her own bond, for its benefit as residuary legatee and remainderman under the will of the said Joseph Pennell, and it is declared to be the opinion of Congress that such personal bond without surety would, if approved by the orphans' court of Philadelphia County adequately secure the interests of the United States under section 23 of the fiduciaries act of Pennsylvania.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

BILL INDEFINITELY POSTPONED

The bill (H. R. 11800) to establish a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Rhode Island was announced as next in order.

The PRESIDING OFFICER. The bill should be indefinitely postponed on the ground that the date of the observance has already passed. Without objection, the bill will be indefinitely postponed.

VOCATIONAL REHABILITATION

The bill (H. R. 13251) to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes, was considered as in Committee of the Whole and was read. The bill had been reported from the Committee on Education and Labor with an amendment.

Mr. BINGHAM. Mr. President, I should like to have the chairman of the Committee on Education and Labor explain the bill. I have been told that the bill establishes a new precedent; that it would be used as an entering wedge for a system which would later be applied to the States. I am to-day informed that that is not correct, but that we are merely doing for the District of Columbia what we have already done for the States. Which is correct?

Mr. COUZENS. Mr. President, I desire to read from the hearings before the Committee on Education of the House of Representatives, page 2, from a statement of Hon. JOHN W. SUMMERS, a Representative in Congress from the State of Washington:

Mr. Chairman and members of the committee, this bill is very similar to the Federal vocational rehabilitation act which was passed by Congress and became a law in June, 1920. Under that act we are cooperating with 41 States of the Union in the rehabilitation of those who are injured in industry or in public accidents or who are congenitally or from disease disabled.

Very extensive hearings were held in the House. The report is very exhaustive as to the merits of the bill. It does no more for the District than has already been done in 41 States. The report indicates that it is a very meritorious bill. I do not want to take the time of the Senate to go through the entire report, but I think Senators who will read the report will be satisfied that it is a very meritorious bill and should be passed.

Mr. BINGHAM. I know that the Senator from Utah [Mr. Smoot], who is absent from the Chamber at this time, is opposed to the bill, but I think he is laboring under the same impression that I was, that it would establish a new form of Federal aid. With the understanding that what the chairman of the Committee on Education and Labor has now stated is correct, that there is nothing new about it and that it merely does for the District what we are doing for the States, I have no objection.

The PRESIDING OFFICER. The committee amendment will be stated.

The CHIEF CLERK. On page 3, line 12, after the word "year," strike out "except that for the fiscal year ending June 30, 1929, there is authorized to be appropriated the sum of \$12,000, of which not more than \$6,000 shall be expended for salaries," so as to make the section read:

SEC. 6. For the purpose of carrying out the provisions of this act there is authorized to be appropriated to the Federal Board for Vocational Education a sum not to exceed \$15,000 for each fiscal year: *Provided*, That no such appropriations of Federal funds shall be available for expenditure except when matched by equal appropriations of District of Columbia funds which are hereby authorized.

The amendment was agreed to.

Mr. COUZENS. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, line 3, strike out "1928" and insert "1929," and on page 2, line 2, strike out the word "vocation" and insert the word "vocational," so as to make the bill read:

Be it enacted, etc., That on and after July 1, 1929, the Federal Board for Vocational Education is authorized and directed to provide for the vocational rehabilitation and return to employment of any disabled resident of the District of Columbia.

SEC. 2. For the purposes of this act (1) the term "disabled resident of the District of Columbia" means any bona fide resident in the District of Columbia who, by reason of a physical defect or infirmity, whether congenital or acquired by accident, injury, or disease, is or may be expected to become totally or partially incapacitated for remunerative occupation; and (2) the term "vocational rehabilitation" means the rendering of any such disabled resident fit to engage in a remunerative occupation.

SEC. 3. (a) The United States Public Health Service is authorized and directed to cooperate with the Federal Board for Vocational Education in carrying out the provisions of this act, and the board may, in carrying out such provisions, obtain the cooperation of (1) any other

establishment in the executive branch of the Government; (2) any department or agency of the government of the District of Columbia; (3) any State, Territory, or political subdivision thereof; or (4) any private agency or person.

(b) The Federal Board for Vocational Education and the United States Employees' Compensation Commission are authorized and directed to formulate a plan of cooperation for the vocational rehabilitation of civil employees of the United States disabled while in the performance of duty and who reside in the District of Columbia, and such board may, in carrying out the provisions of this act, in so far as it applies to such civil employees, carry out such plan.

SEC. 4. The board is authorized to prescribe such rules and regulations as may be necessary or appropriate to carry out the provisions of this act.

SEC. 5. The Federal Board for Vocational Education is authorized to make such expenditures (including expenditures for personal services at the seat of government and elsewhere, for printing and binding, for traveling and subsistence expenses, for the payment of tuition to schools, for the compensation of tutors, for the purchase of prosthetic appliances and instructional supplies and equipment, and for the payment of necessary expenses of persons undergoing vocational rehabilitation) as may be necessary to carry out the provisions of this act.

SEC. 6. For the purpose of carrying out the provisions of this act there is authorized to be appropriated to the Federal Board for Vocational Education a sum not to exceed \$15,000 for each fiscal year: *Provided*, That no such appropriations of Federal funds shall be available for expenditure except when matched by equal appropriations of District of Columbia funds which are hereby authorized.

SEC. 7. The board shall submit to Congress on or before the first day of each regular session a report of all rehabilitation service provided and of all expenditures made under this act during the preceding fiscal year.

Mr. KING. Mr. President, I would like to ask the Senator from Michigan if the so-called vocational rehabilitation act is to remain a statute forever? In other words, is there no limitation on the law itself?

Mr. COUZENS. The Federal Vocational Board has been doing excellent work. There is no time limit in the law. It is not confined to any particular group of disabled persons but is a system for the rehabilitation of those who are crippled or sick, thus taking them off the charity rolls and making them useful citizens. It has cost the Government and the country much less under the system since the rehabilitation law was enacted than it did before when they were on charity.

Mr. KING. To what extent are the States cooperating with the Federal Government?

Mr. COUZENS. I have not the details here, but if the Senator cares to have me go through the House hearings I think I could demonstrate to him by the experiences there stated from Buffalo and other cities that it has been a great public advantage.

Mr. KING. I do not care to have the Senator take the time to do that now. I know that before this law was enacted many States were caring for those who needed vocational rehabilitation, and I was wondering whether the Federal Government was to continue in this cooperative activity.

Mr. COUZENS. It is largely an educational system, the same as with reference to agriculture or any other activity.

Mr. WATERMAN. Mr. President, may I ask how the expense with reference to this matter is charged, whether against the District or against the Government?

Mr. COUZENS. It is against the Government.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BERTHA HANSON

The bill (S. 5361) for the relief of Bertha Hanson was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Bertha Hanson, widow of George M. Hanson, late American Consul at Colon, Panama, the sum of \$4,500, being one year's salary of her deceased husband, who died while in the Foreign Service; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXPLORATION OF ARCTIC REGIONS BY AIRSHIP

The joint resolution (H. J. Res. 153) for the contribution of the United States in the plans of the organization of the International Society for the Exploration of the Arctic Regions by Means of the Airship was considered as in Committee of the Whole and was read, as follows:

Resolved, etc., That, in compliance with the recommendation of the President contained in his message of January 4, 1928, printed as House Document No. 133, Seventieth Congress, first session, an annual appropriation for five years of \$300 is hereby authorized as the contribution of the United States in the plans of the organization of the International Society for the Exploration of the Arctic Regions by Means of the Airship for the establishment of geophysical observations in the inner Arctic regions.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 4800) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended, was announced as next in order.

Mr. COPELAND. Mr. President, I presume that the bill has merit, but I desire to give it some study before it is passed by the Senate. I ask, therefore, that it may go over.

The PRESIDING OFFICER. The bill will be passed over.

LANDS IN FAULKNER COUNTY, ARK.

The bill (H. R. 12322) to quiet title and possession with respect to certain lands in Faulkner County, Ark., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That all right, title, and interest of the United States in and to the lands situated in Faulkner County, Ark., described as follows: The northwest quarter of the northwest quarter, section 11, township 5 north of the base line, range 11 west, fifth principal meridian, containing 40 acres more or less, be, and the same are hereby, released and relinquished by the United States to the respective owner or owners of the equitable title and to their heirs and assigns.

SEC. 2. Nothing in this act shall in any manner abridge, divest, impair, injure, or prejudice any valid right, title, or interest of any person or persons in or to any portion or part of the lands mentioned in the said first section, the true intent of this act being to relinquish and abandon, grant, give, and concede any and all right, interest, and estate, in law or equity, which the United States is or is supposed to be entitled to in said lands, in favor of all persons, estates, firms, or corporations who would be the true and lawful owners of the same under the laws of the State of Arkansas, including the laws of prescription in the absence of the said interest and estate of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HERSCHEL PAUL COOK

The bill (H. R. 10015) authorizing the promotion on the retired list of the Navy of Herschel Paul Cook, lieutenant (junior grade), was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to promote as of June 3, 1922, to the rank of lieutenant (retired), Herschel Paul Cook, now lieutenant (junior grade) (retired), without any deduction for pay made such officer while on the active list subsequent to that date. That hereafter the pay of this officer while on the retired list shall be computed as if he had been retired in the rank of lieutenant (senior grade) June 3, 1922: *Provided*, That no back pay or allowances shall accrue prior to the passage of this act.

Mr. KING. Mr. President, I should like to have an explanation of the bill. We have a general law for promotions. Why a special act?

Mr. WATERMAN. Mr. President, Mr. Cook was appointed a midshipman in the Navy on July 8, 1915, and was commissioned an ensign on June 7, 1918. He was promoted to the rank of lieutenant (junior grade) (temporary), from September 21, 1918, and permanently commissioned a lieutenant (junior grade) from July 1, 1920. On September 6, 1923, Mr. Cook was transferred to the retired list of the Navy by reason of chronic pulmonary tuberculosis incurred in the line of duty.

The reason for offering the bill is that when he came up for examination or was due for examination for promotion he was ill with tuberculosis in the hospital and could not attend, and therefore by reason of that fact he did not receive the promotion. The bill gives him the promotion to which he would have been entitled had he not been too ill to take the examination.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD ELLSBERG, HENRY HARTLEY, AND RICHARD E. HAWES

The bill (H. R. 13795) for recognition of meritorious service performed by Lieut. Commander Edward Ellsberg, Lieut. Henry Hartley, and Boatswain Richard E. Hawes was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 11, to strike out the word "ship" and insert in lieu thereof the words "ships S-4 and S-5," so as to make the bill read:

Be it enacted, etc., That the President of the United States be, and is hereby, authorized to appoint Edward Ellsberg, now a naval constructor with the rank of lieutenant commander in the Naval Reserve, a naval constructor with the rank of commander in the Naval Reserve; and Chief Boatswain R. E. Hawes, United States Navy, an ensign in the Navy; and to advance Lieut. Henry Hartley, United States Navy, 35 numbers on the list of lieutenants of the Navy, in recognition of their services in the salvage of the U. S. S. S-4 and S-51.

SEC. 2. That these officers shall be additional numbers in the grades to which or in which they are hereby advanced, and in any to which they may hereafter be promoted.

The amendment was agreed to.

Mr. REED of Pennsylvania. Mr. President, I would like to have an explanation of the bill. The idea seems to be that because a cadet stood high in his class at Annapolis he should now be promoted by an act of Congress.

Mr. WATERMAN. I shall be glad to give the Senator an explanation.

The young man Ellsberg—I can not speak so definitely for the others as for him—entered the Annapolis Academy about 20 years ago as a Colorado boy. He led his class for four years in that institution, was promoted from time to time in the service, and served during the war. He has become, so it is said, and has been characterized as the Lindbergh of the submarine service of the country. The list of his accomplishments which appears in the House report, at page 3, is an extended one.

After a while, I think about 1920, he retired from the Navy voluntarily. He did all the work that related to the foundered S-51 and received for that service a medal. I do not know what medal it was, but he received a medal. At the time the S-4 went down he was in private life. He volunteered his services to his Government. He was called to New York and was sent to the scene of the sunken submarine. He took charge of the undersea work. He put on a diver's suit and went down and was the only man that ever brought forth a verbal picture of the situation of that submarine as she lay on the bottom of the sea. For that service he was written a letter by the Secretary of the Navy in the most commendatory terms.

There seems to be no objection to the bill anywhere except I think that there was an objection from the Navy Department to this designation, but the designation is merely promoting him in the reserve from lieutenant commander to commander. There was also an objection on the ground that he had had the distinguished-service medal on account of his work in connection with the S-51. Therefore the bill was amended by the committee to embrace his services in connection with the S-4.

Mr. REED of Pennsylvania. In view of the explanation of the Senator from Colorado and the statement in the later pages of the report, I agree with the committee that the bill is entirely meritorious, and that Commander Ellsberg ought to be promoted. But I suggest that the man who wrote the report ought to be demoted, because Senators have to read through about 16 pages before we find why the bill is recommended.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISBURSING ACCOUNTS OF ARMY OFFICERS, ETC.

The bill (H. R. 4258) to authorize credit in the disbursing accounts of certain officers of the Army of the United States and for the settlement of individual claims approved by the War Department was considered as in the Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments.

Mr. KING. Mr. President, I should like to have a brief explanation of the reason for the bill.

Mr. REED of Pennsylvania. The bill came from the Committee on Claims and was reported by the Senator from Alabama [Mr. BLACK]. He can doubtless explain to the Senator from Utah.

Mr. KING. I shall be glad if the Senator will do so.

Mr. BLACK. Mr. President, this is one of a series of four bills taking up various technical charges which have been

placed against the accounts of Army officers. We have examined them at great length. I have examined them several times and taken them up with the committee. We agreed with the report of the Comptroller General except in two or three minor instances.

The amendments which have been made reduce the amount. I should be glad if there is any question about any particular item to go into the matter, but the items are so numerous that I do not think it would be wise to cover all of them.

Mr. KING. I find, for instance, on page 4 of the bill that Lieut. Roy Wiedersum is to receive \$3,386.54. Will the Senator from Alabama explain the reason for that?

Mr. BLACK. I shall do so in just a moment.

Mr. KING. Then Edward F. Becken is to get \$1,450 for damages sustained to his property. I also note in the concluding paragraph of the bill that \$2,741.50 was expended by Lieutenant Wiedersum for medical treatment. I am wondering if, being in the service, he did not receive medical treatment and hospitalization at the hands of the Government?

Mr. BLACK. Here is what the report in reference to Wiedersum's case states:

Wiedersum, Roy, first Lieutenant, Air Corps Reserve, United States Army: Lieutenant Wiedersum says that on April 5, 1925, he, as a reserve officer and pilot, was assigned a Curtiss airplane, *J. N. 4-H*, by the authorities of Mitchel Field, N. Y., for the purpose of making a practice flight in Government aircraft. That thereupon, with Pvt. Ralph Hyslop, United States Army, as passenger, he took off the ground with said plane from Mitchel Field, and after arriving at an altitude of from 250 to 350 feet he could no longer control said plane, and said plane fell out of control from above-mentioned altitude, striking the earth, causing serious injury to himself and passenger.

That as a result of the fall and accident above described he received severe injuries to the feet, legs, left arm, ribs, face, and body, which injuries are described in detail in the affidavits of the doctors. He was confined in bed at the Nassau Hospital for three months, namely, from April 5, 1925, to June 27, 1925, and to his home for six months, namely, from June 27, 1925, to January 1, 1926. That upon becoming a patient in said hospital his left arm and left leg were suspended by means of a Balkan frame, pulleys, and weights. His left leg was suspended as above mentioned for many weeks. His left arm was suspended for the entire period he was confined to hospital and both feet and legs incased in plaster casts for the greater part of the period he was detained in said hospital. That during the period at home, mentioned above, he was confined to bed and a wheel chair for many weeks. Thereafter he required crutches until January 1, 1926, at which later date he was able to walk with the aid of two canes. He has suffered permanent injuries to the feet and ankles, including a shortage of the right leg of about 1 inch, which causes him to walk lame and with a defective gait. He at present also suffers from headaches, backaches, and intense pain in the legs, ankles, and feet.

Under section 6 of the act approved June 3, 1924 (Public, 1826, 68th Cong.) Lieutenant Wiedersum is entitled to all pay and allowances from April 5, 1925, date of injury, to June 27, 1925, date of transportation to his home, amounting to \$645.24, and to reimbursement for amounts expended by him for medical and hospital treatment during the same periods, amounting to \$2,741.50, which have been approved in the sum of \$3,386.74.

The PRESIDING OFFICER. The amendments of the Committee on Claims to the bill will be stated.

The first amendment was, on page 2, line 4, after the words "Quartermaster Corps," to strike out "\$150" and to insert "\$99.85"; in the same line, after "\$150," to strike out the words "Capt. E. W. Wilson, Finance Department, \$150"; in line 5, after the words "Finance Department," to strike out "\$150" and to insert "\$99.85"; in line 7, after the words "Finance Department," to strike out "\$150" and to insert "\$99.85"; and in line 8, after the words "Finance Department," to strike out "\$150" and insert "\$99.85," so as to make the clause read:

First Lieut. J. P. Tillman, Quartermaster Corps, \$99.85; Maj. H. E. Pace, Finance Department, \$99.85; Lieut. Col. S. B. McIntyre, Finance Department, \$99.85; and Capt. R. G. Jenks, Finance Department, \$99.85, on account of payments of reimbursement allowance made by them to one Tom F. Nicholson on fraudulent vouchers: *Provided*, That the officers certifying as to the correctness of the service of the soldier and the vouchers on which these payments were made shall be relieved of all responsibility in connection therewith.

The amendment was agreed to.

The next amendment was, on page 3, line 8, after the words "Finance Department," to strike out "\$22.10" and to insert "\$12.90," so as to make the clause read:

Capt. L. V. Houston, Finance Department, \$12.90, representing overpayments to citizens' military training camp students on account of travel pay to and from camp.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CARY DAWSON

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5221) for the relief of Cary Dawson, which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the settlement of the accounts of Cary Dawson, regional disbursing officer, special disbursing agent, United States Veterans' Bureau, Cincinnati, in the sum of \$330 for restoration of the premises which were occupied by the United States Veterans' Bureau on the fourth floor of the Cleveland Life Building, Evansville, Ind.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DR. STANLEY R. TEACHOUT

The bill (H. R. 4776) for the relief of Dr. Stanley R. Teachout was announced as next in order.

Mr. REED of Pennsylvania. I ask that that bill go over.

Mr. McKELLAR. Mr. President, will the Senator withhold his objection until I can make a statement relative to the bill?

Mr. REED of Pennsylvania. Yes.

Mr. McKELLAR. The facts in this particular case are these: The War Risk Insurance Bureau rented from Doctor Teachout up to 1925, so long as that bureau was in existence, one of his buildings in Nashville. When the present Veterans' Bureau took its place in 1925 it desired to continue the contract, and at the same time to rent a very large house next to that building. In order to get the space it wanted it desired certain changes made, and the official who had the matter in charge in the bureau here went down to Nashville, made a contract with that Doctor Teachout under which he was to spend \$26,000 in rearranging those two buildings in accordance with plans and specifications of the bureau and its architect.

The representative of the bureau agreed that the Government would rent the building for five years. At that time it was very difficult to get space in Nashville, and this official told Doctor Teachout that, while the bureau could not rent except for one year, it would rent the building year by year for five years, provided the improvements were made. Doctor Teachout put up the money, rebuilt the buildings, and nine months afterwards, without the slightest explanation, without any regard to its agreement, when there was a better office building, perhaps a new office building, erected in Nashville, the bureau threw up its contract and rented space in the new building.

A claim was made for reimbursement by Doctor Teachout. The chief of the Veterans' Bureau, General Hines, thought it was absolutely right that the claim should be paid. He tried to get authority from the Comptroller General to do so; he took it up with the Budget Bureau, and asked to be permitted to pay it out of certain funds that he had; but it was finally decided that it could not be done in that way. General Hines states in the record that it is a perfectly proper claim against the Government.

The bill was then introduced in the House of Representatives and passed there. There is an elaborate report here accompanying it. The bill has been reported out by the Committee on Claims. It seems that a number of claims exactly like this, or very nearly like it, have already been considered by the committee, reported out, and passed. I, therefore, hope that the Senator from Pennsylvania will not object, but will let the bill pass.

Mr. REED of Pennsylvania. Mr. President, how about the suggestion in the letter of the Veterans' Bureau that the matter be submitted to the Comptroller General in accordance with the House bill which is mentioned?

Mr. McKELLAR. That has been done. It will be found in the record that General Hines himself took the case to the Comptroller General and tried to arrange so that he might pay the claim out of certain funds that he had, but it could not be done in that way. So a bill for the purpose had to be passed by Congress.

Mr. REED of Pennsylvania. The only letter I find from General Hines in the report is the one suggesting that the matter should be submitted to the Comptroller General.

Mr. McKELLAR. In the affidavit it is shown that General Hines afterwards took the matter up with Comptroller General McCarl and asked for authority to pay it out of funds that he had, but Comptroller General McCarl would not pass it in that way, and said it would require an act of Congress.

Mr. REED of Pennsylvania. What is the good of our putting a 1-year limitation on the bureau's leases if we have to pay by a special bill additional amounts based on a 5-year expectation?

Mr. McKELLAR. In answer to the Senator, I should say that I think this is an illustration of the absolute necessity of putting some limitation on governmental officers who cause men to spend their money in preparing offices in this way and then disregard the contract of the Government.

Mr. REED of Pennsylvania. I agree with that. A district manager of the Veterans' Bureau has no authority to make any lease at all, and yet we are being asked to pay out \$22,000 under a contract which was made.

Mr. McKELLAR. Yes; this officer had authority to make the lease; he was sent down there from Washington for the purpose of making the lease. When he got down there he could find no suitable place except this, and before he would lease this property he required that \$26,000 of improvements be made, in accordance with the plans and specifications provided by the architect of the bureau.

Mr. REED of Pennsylvania. I can appreciate that if we shall not pass the bill it will be very hard on the owner of the property, while if we shall pass it it will be very hard on the Government. However, I will not object.

Mr. KING. Mr. President, I want to make one observation. I think that the member of the Finance Committee who is the chairman of the subcommittee which considers these matters ought to challenge the attention of the Veterans' Bureau to the present situation. I know in my State and other places where I have been the Veterans' Bureau rents expensive buildings for its activities. There is no reason why they should go to the extent of establishing themselves in the most costly quarters that can be found. I think that the Veterans' Bureau has been too prodigal in the expenditure of money for overhead. I am in favor of giving all that is necessary to those who were injured, but I think perhaps the Veterans' Bureau is censurable for its tendency to lease expensive buildings. This case is an illustration. After they have gone to the expense or trouble of having a new building prepared, without any reason they end the contract and abandon it.

Mr. JONES. Mr. President, I desire to say in justice to the Veterans' Bureau that, so far as my information is concerned, in the city of Seattle they do not rent an expensive building by any means. As a matter of fact, the building which, I think, they have occupied ever since they have been there is a very ordinary building.

Mr. KING. I am glad to know that.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. REED of Pennsylvania. Mr. President, I am not going to object to the bill, but in response to what has been said by the Senator from Utah, I think one of the reforms that we have got to put through in the next Congress is the consolidation of the agencies that are dealing with veterans' relief. It is entirely unsystematic and senseless for us to be keeping up a Pension Bureau, a Home for Disabled Volunteer Soldiers which has no connection with the Pension Bureau, and a Veterans' Bureau which has no connection with either. We are having a duplication of facilities; we are having three offices maintained where one could do the work. I am very hopeful that one of Mr. Hoover's first acts will be to outline and recommend such a consolidation for the sake of economy and efficiency, and I am sorry that the Senator from "Florida" [Mr. Smoot] is not here to tell us what is going to be done along that line.

Mr. McKELLAR. I hope the Senator may soon introduce such a bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Dr. Stanley R. Teachout, of Nashville, Tenn., \$22,602.14 in full compensation for losses sustained and expenses incurred by him on account of certain repairs and alterations which he made in his buildings at Nashville, Tenn., at the instance of and with the approval of representatives of the United States Veterans' Bureau and for the purpose of renting the premises to the United States Veterans' Bureau; and for losses and damages sustained by him on account of the premises being vacated and the lease canceled by the bureau after an occupancy of nine months.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OWNER OF STEAMSHIP "W. I. RADCLIFFE"

The bill (H. R. 11698) conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the steamship *W. I. Radcliffe* against the United

States, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments, on page 2, line 6, after the word "due," to strike out "from" and insert "against"; in line 7, after the name "United States," to strike out "to" and insert "in favor of"; in line 8, after the word "(Limited)," to insert "or against the said Wynstay Steamship Co. (Ltd.) in favor of the United States," so as to make the bill read:

That the claim of the Wynstay Steamship Co. (Ltd.), a British corporation, owner of the steamship *Radcliffe*, against the United States for damages alleged to have been caused by collision between said steamship *Radcliffe* and the U. S. S. *Sylvan Arrow*, on December 1, 1918, may be determined in a suit to be brought by said claimant against the United States in the United States District Court for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court in admiralty cases, and that said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages, and costs, if any, as shall be found due against the United States in favor of the said Wynstay Steamship Co. (Ltd.) or against the said Wynstay Steamship Co. (Ltd.) in favor of the United States, by reason of said collision, upon the same principles and under the same measures of liability as in like cases between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within four months of the date of the approval of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FRENCH AUXILIARY BARK "QUEVILLY"

The bill (H. R. 11699) conferring jurisdiction upon the United States Court for the Southern District of New York to hear and determine the claim of the owner of the French auxiliary bark *Quevilly* against the United States, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments on page 2, line 6, after the word "any," to insert "as"; in the same line, after the word "found," insert "to be"; in the same line, after the word "due," to strike out "from" and insert "against"; in line 7, after the name "United States," to strike out "to" and insert "in favor of"; and in line 8, after the name "*Quevilly*," to insert "or against the said owners of the French auxiliary bark *Quevilly* in favor of the United States," so as to make the bill read:

That the claim of the owners of the French auxiliary bark *Quevilly* against the United States for damages alleged to have been caused by collision between said steamship *Quevilly* and the U. S. torpedo boat *Sampson*, in the Atlantic Ocean outside of the entrance to New York Harbor, on January 26, 1917, may be determined in a suit to be brought by said claimant against the United States in the United States District Court for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court in admiralty cases, and that said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the said owners of the French auxiliary bark *Quevilly*, or against the said owners of the French auxiliary bark *Quevilly* in favor of the United States by reason of said collision, upon the same principles and under the same measures of liability as in like cases between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within four months of the date of the approval of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MARY MARTIN HARRISON

The bill (H. R. 7244) for the relief of Mary Martin Harrison was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 2, line 3, to strike out "Provided, That the said Mary Martin Harrison establishes that she was dependent upon her son, Henry Hartwell Harrison, at the time of the latter's death," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Martin Harrison, mother of the late Henry Hartwell Harrison, ensign, United States Navy, Aviation Service, the sum of \$1,125 on account of the death of her son, who was killed in line of duty, the said sum being the amount of six months' pay at the rate said Ensign Henry Hartwell Harrison was receiving at the date of his death, November 1, 1926, at Pensacola, Fla., when he crashed into the sea with a plane in which he was riding.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 9659) for the relief of F. R. Barthold was announced as next in order.

Mr. KING. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CREW OF TRANSPORT "ANTILLES"

The bill (S. 4815) for the relief of members of the crew of the transport *Antilles* was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to examine and settle the claims of the crew of the transport *Antilles*, which was sunk in October, 1917, on the high seas by an enemy torpedo, for the value of private property lost by the sinking of said vessel, and to allow reimbursement of the value of said private property not exceeding the sum of \$100 in any one case, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, sufficient sums, not exceeding in the aggregate \$3,600, for the payment of such of these claims as may be allowed by the Comptroller General of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS

The bill (H. R. 16500) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 12, after line 4, to strike out:

The name of Margaret E. Beaston, widow of James Beaston, alias James Roberts, late of Company G, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 2, to strike out:

The name of Sarah Roof, widow of John Roof, late of Company A, One hundred and forty-eighth Regiment, and Company B, Fifty-third Regiment, Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, after line 23, to strike out:

The name of Mariah Powell, widow of Henry A. Powell, late of Company E, Fifth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 32, after line 15, to strike out:

The name of Lucinda M. Goodsell, widow of George A. Goodsell, late of Company F, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 84, after line 9, to strike out:

The name of Effie M. Britton, widow of Thomas D. Britton, late of Company E, Second Regiment Minnesota Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 89, after line 18, to strike out:

The name of Sallie A. Hollister, widow of David H. Hollister, late of Company E, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 100, after line 12, to insert:

The name of Emma Armstrong, widow of George Armstrong, late of Company I, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Martinia L. Johnson, widow of Edward B. Johnson, late of Company E, Fifth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah E. Marcam, widow of Daniel F. Marcam, late of Company E, Thirteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sallie C. Driscoll, widow of Cornelius Driscoll, late of Company D, Eighth Regiment United States Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of John W. Hay, late of Capt. C. L. Holsapple's Company B, South Cumberland Battalion, Kentucky State Volunteers, and pay him a pension at the rate of \$50 per month.

The name of Milan B. Siddles, late of Troop B, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$50 per month.

The name of Ellen Grever, widow of Jacob M. Grever, late of Company D, Eighty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ella Winger, widow of John Winger, late of Company D, Eighty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Katherine French, widow of Asa T. French, late of Company F, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Adaline E. Draper, widow of George W. Draper, late of Company I, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Maria Allen, widow of William A. Allen, late of Company E, Seventeenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna J. Van Nuys, widow of Isaac Van Nuys, late of Company D, Fifty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Silas Overmier, late of Company H, Twenty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Launa Dickens, widow of Francis M. Dickens, late of Capt. William Turner's Independent company, West Virginia State Guards, and pay her a pension at the rate of \$30 per month.

The name of Catherine Ramsey, widow of Rufus Ramsey, late of Company K, One hundred and twenty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Henry Thomas, late of Company H, Sixty-seventh Regiment Enrolled Missouri Militia, and pay him a pension at the rate of \$50 per month.

The name of John Musgraves, late of Company D (Captain Kennamore's company), Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$50 per month.

The name of Mariah E. Crom, widow of Jeremiah B. Crom, late of Company F, Eighty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Helen A. O'Haver, widow of Howard M. O'Haver, late of Company C, One hundred and forty-ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Margaret Dunn, helpless child of Patrick Dunn, late of Company C, Fifty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Lottie Lou Hart, helpless child of Alva T. Hart, late of Company F, Eighty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Sallie H. Dethample, widow of Nicholas Dethample, late of Company M, One hundred and ninety-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy Jane Stewart, widow of James A. Stewart, late of Company E, One hundred and twenty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Laura F. Gross, widow of Charles F. Gross, late of the United States Military Telegraph Corps, and pay her a pension at the rate of \$30 per month.

The name of Lydia E. Brown, widow of William H. H. Brown, late of Company B, Twelfth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Carrie A. Kirtland, widow of John D. Kirtland, late of Company H, One hundred and sixty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah B. Quigley, widow of William Y. Quigley, late of Troop E, Twelfth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary E. Jones, widow of Daniel K. Jones, late of Troop A, Second Regiment California Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Harriet Brones, widow of Peter N. Brones, late of Company I, Forty-third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Carrie E. Ramsey, widow of James A. Ramsey, late of the United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Minnie D. Fogg, widow of Augustus W. Fogg, late of Company L, Thirty-first Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Nancy J. Hooker, widow of George W. Hooker, late of Company E, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Caroline B. Bauduy, widow of Jerome K. Bauduy, late assistant surgeon, United States Volunteers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah Shepard, widow of Charles A. Shepard, late of Company E, First Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary S. Warner, widow of William Warner, late of Company E, Twelfth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Maude G. Davis, helpless child of William Henry Davis, late of Company C, Eighty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Josie Woolworth, widow of George A. Woolworth, late of Company B, Thirty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Caroline A. Brandis, widow of Frederick Brandis, late of Company C, Thirteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah E. James, widow of Henry James, late of First Independent Battery, Iowa Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lou Lukens, widow of James Lukens, late of Company F, One hundred and forty-seventh Regiment Ohio National Guard Infantry, and pay her a pension at the rate of \$30 per month.

The name of Laura B. Mills, widow of Cleveland W. Mills, late of Company K, Tenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary A. Gerald, widow of Frank E. Gerald, late of Company D, Third Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah E. Ragan, widow of James K. P. Ragan, late of Company A, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Monroe, widow of Americus B. Monroe, late of the Eighth Battery Indiana Volunteer Light Artillery, and pay her a pension at the rate of \$30 per month.

The name of Hannah F. Clarke, widow of William Clarke, late of Company F, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary Elizabeth Sherlock, widow of Charles Benjamin Sherlock, late of Company D, First Battalion, Twelfth Regiment, United States Infantry, and pay her a pension at the rate of \$30 per month.

The name of Eleanor E. Gerry, widow of Orlando F. Gerry, late of Company C, Seventeenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ida Emmott, helpless child of Thomas Emmott, late of the Seventh Battery, Massachusetts Volunteer Light Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Elizabeth E. Carpenter, widow of Franklin Carpenter, late of Company G, Fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma Hall, widow of Thomas E. Hall, late of Company B, Ninety-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Catharine Henicle, widow of Samuel Henicle, late of Company G, Fiftieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margaret C. Butler, widow of John Butler, late of Company F, Sixty-ninth Regiment New York State Militia Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Celestia Edwards, former widow of Thomas Lucia, late of Company F, Second Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Laura Cross, widow of Monroe Cross, late of Troop E, Second Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving, and \$2 per month for a minor child, Ebert M., until he attains the age of 16 years.

The name of Sallie Ireton, widow of Erastus C. Ireton, late of Company B, One hundred and fifty-third Regiment Ohio National Guard Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Alice L. Enloe, helpless child of Edwin T. Enloe, late of Troop D, Third Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Alice J. Phillips, widow of Henry S. Phillips, late of Company K, One hundred and ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of May Smelker, widow of Jesse P. Smelker, late of Company A, Forty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$20 per month, and \$30 per month when she attains the age of 60 years.

The name of Elizabeth Casseday, widow of John J. Casseday, late of Company C, Second Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Emma A. Gannett, widow of Frederick Gannett, late of Company B, Third Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Jennie A. Gilbert, widow of George R. Gilbert, late of Company F, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy M. Tarter, helpless child of George W. Tarter, late of Company A, Nineteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Maria O. Walter, widow of John Walter, late of Company I, One hundred and sixtieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elizabeth Gifford, widow of James Henry Gifford, late of Company K, One hundred and fifty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Katie H. V. Long, widow of Edward F. Long, late of the United States Navy, and pay her a pension at the rate of \$70 per month in lieu of that she is now receiving, to include \$20 per month for her helpless child, Frederick, subject to the usual limitations of the Bureau of Pensions.

The name of Laura B. Strider, former widow of Jasper W. Reed, late of Company D, Forty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Pricy Riley, widow of Daniel Riley, late of Company C, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Margaret Campion, widow of Michael Campion, late of Company G, One hundred and thirty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Levi Wilkerson, alias Wilkison, late of Capt. Ezra King's Cape Girardeau County company, Missouri Volunteer Militia, and pay him a pension at the rate of \$50 per month.

The name of Minnie O. Buchanan, former widow of John W. Buchanan, late of Company I, Eighteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Maggie Pippitt, widow of James E. Pippitt, late of Company D, One hundred and fifty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Frances E. Peironnet, widow of Charles A. Peironnet, late of Company E, Eleventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen Bibb, widow of Edward Bibb, late of Company B, One hundred and fifteenth Regiment United States Colored Infantry, and pay her a pension at the rate of \$20 per month.

The name of Mary E. Hartwell, former widow of Arthur C. Hartwell, late of Troop F, Twelfth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary N. Henry, widow of James P. Henry, late of Troop D, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary F. Brown, widow of Daniel Brown, late of Company B, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Martha Talley, widow of William T. Talley, late of Company A, Eighty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mayme D. Phelps, helpless child of Zachariah R. Phelps, late of Troop A, Seventh Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Annie L. Elwell, widow of Horace E. Elwell, late of Troop F, Eighth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$20 per month; and \$30 per month when she attains the age of 60 years.

The name of Ella P. Neeld, widow of Thomas Neeld, late of Company F, Sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Maria L. Evans, widow of James Evans, late of Company G, Ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah Whobery, widow of James Whobery, late of Company C, Seventeenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Winifred Tucker, widow of Albert O. Tucker, late of Company K, Eleventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Rachel Ann Evans, widow of Princes Evans, late of Company H, Fifty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma Pilate, widow of Thomas Pilate, late of Company C, Fifty-second Regiment Kentucky Volunteer Mounted Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Susie May Reed, helpless child of Thomas F. Reed, late of the First Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$20 per month.

The name of Elizabeth Staggers, widow of John P. Staggers, late of Troop C, Eighteenth Regiment Pennsylvania Volunteer Cavalry, and pay per a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Celina Plant, widow of Victor Plant, late of Company K, Fifth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Frances P. Snow, widow of Henry Snow, late of Company I, Eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Saphronia Reed, widow of Samuel Reed, late of Company G, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Puriyette Slack, widow of Albert L. Slack, late of Company D, One hundred and twenty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Malinda Beard, widow of Solomon Beard, late of Company C, Thirtieth Regiment Indiana Volunteer Infantry, and pay her

a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Bessie M. Jenkins, widow of William Jenkins, late of the Ninth Independent Battery, Massachusetts Volunteer Light Artillery, and pay her a pension at the rate of \$30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LANDS IN BOX ELDER COUNTY, UTAH

The bill (H. R. 15328) to authorize the exchange of 18 sections of Government land for an equal value of State land located in Box Elder County, Utah, for experiments in sheep growing, and for other purposes, was considered as in Committee of the Whole.

Mr. JONES. Mr. President, I note that according to the title of the bill this is a measure to exchange 18 sections of Government land for an equal value of State land. How is that value to be determined? It seems to me it should be "an equal area."

The PRESIDING OFFICER. The Senator from New Mexico [Mr. BRATTON] made the report on this bill.

Mr. BRATTON. Mr. President, may I have the attention of the Senator from Utah? Inquiry is made with reference to H. R. 15328, Order of Business No. 1705, authorizing the exchange of 18 sections of land within Box Elder County, Utah, for an equal value of State land. It is a House bill. The author of the bill, the chairman of the committee having charge of the bill in the House [Mr. COLTON], and the Senator from Utah came before the Committee on Public Lands and Surveys. As I recall, the bill authorizes the exchange of certain lands located within a game refuge in Utah for lands on the outside, the two tracts to be of equal value. I think that is correct.

Mr. KING. Yes.

Mr. JONES. Is it to be an exchange of 18 sections for another 18 sections?

Mr. BRATTON. No; land of equal value.

Mr. JONES. The title does not read that way. I have not had an opportunity to examine the bill. It says, "to authorize the exchange of 18 sections of Government land for an equal value of State land." It does not say "an equal area," but "an equal value."

Mr. ASHURST. I suggest adding that amendment.

Mr. BRATTON. That is the usual way in which these exchanges are authorized. That is, the Government land is simply exchanged for other land of equal value, regardless of area. The Secretary of the Interior will be required to ascertain and determine whether the State land offered in exchange is of equal value.

Mr. JONES. I think most of these exchange acts have provided for an equal area of land and equal value.

Mr. GLASS. Mr. President, suppose the equal area of land is not of equal value: How are you going to get around that obstacle?

Mr. JONES. You would have to find an equal area somewhere that is of equal value. I can not understand how they are going to determine the equal value of the lands to be received in exchange for these 18 sections.

Mr. BRATTON. By an actual examination of the land; and if the 18 sections offered are of less value than the Government land, the Secretary will require that more land be tendered. In other words, the State must offer enough land to equal in value the 18 sections described in the bill.

Mr. JONES. But is a body of appraisers provided for by the bill to determine the equal value, or is that to be left to some examiner of the Interior Department?

Mr. KING. Mr. President, will the Senator yield?

Mr. BRATTON. I yield to the Senator from Utah.

Mr. KING. My recollection of preceding bills of a similar character is this language is substantially the same, and the discretion has been exercised by the Secretary of the Interior in determining the value. As a matter of fact, where these exchanges have been authorized the Senator will recall that they are usually lands that have but little value—perhaps a dollar and a quarter per acre, or thereabouts. They are unused lands nonmineral in character; and in order to consolidate the holdings of the Government it oftentimes desires to make exchanges and get an equivalent amount of land, so far as possible, from private individuals or from the State.

Mr. JONES. Of course the lands of the State probably will not be consolidated, because the State generally does not have its land in a consolidated area, does it?

Mr. KING. The Senator knows that under the grant to the State under the enabling act there was some of those townships or sections where perhaps there would not be 18 sections in one compact body. I am not quite sure as to that. There has been no difficulty experienced in the past in the exchanges which have been authorized.

Mr. JONES. The Senator is acquainted with the situation and what is sought to be done?

Mr. KING. Yes; and it has been approved by the Interior Department and by the officials of the State.

Mr. JONES. I shall not object.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINERS' HOSPITALS, UTAH AND ARIZONA

The bill (H. R. 15732) making an additional grant of lands for a miners' hospital for disabled miners of the State of Utah, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with an amendment, on page 2, after line 3, to insert a new section, as follows:

SEC. 2. That in addition to the provisions contained in the act of Congress approved June 20, 1910 (36 Stat. L.), for miners' hospitals for disabled miners, there is hereby granted to the State of Arizona, subject to all the conditions and limitations contained in said act, 50,000 acres of land for miners' hospitals for disabled miners within said State, said land to be selected from the surveyed, unreserved, unappropriated, and nonmineral lands of the United States within the limits of said State, in the manner provided by said act approved June 20, 1910.

So as to make the bill read:

Be it enacted, etc., That in addition to the provisions made by the act of Congress approved July 16, 1894 (28 Stat. L. 110), for a miners' hospital for disabled miners, there is hereby granted to the State of Utah, subject to all the conditions and limitations of the original grant, an additional 50,000 acres for a miners' hospital for disabled miners to be selected by the State, under the direction and subject to the approval of the Secretary of the Interior, from vacant nonmineral surveyed unreserved public lands of the United States in the State of Utah and not to include lands that are likely to be needed hereafter for inclusion in Federal reclamation or national park projects.

SEC. 2. That in addition to the provisions contained in the act of Congress approved June 20, 1910 (36 Stat. L.), for miners' hospitals for disabled miners, there is hereby granted to the State of Arizona, subject to all the conditions and limitations contained in said act, 50,000 acres of land for miners' hospitals for disabled miners within said State, said land to be selected from the surveyed, unreserved, unappropriated, and nonmineral lands of the United States within the limits of said State, in the manner provided by said act approved June 20, 1910.

The amendment was agreed to.

Mr. REED of Pennsylvania. Mr. President, I have learned very much about legislation in the past week, and about the ways in which benefits are secured for our States. I should like to ask the Senator from Arizona to tell us why this bill is limited to the States of Utah and Arizona?

I noticed that the bill was introduced in the House by a representative from Utah [Mr. COLTON] and provided for a donation of 50,000 acres for a miners' hospital in Utah. In the Senate committee it was amended, and reported out by the Senator from Arizona, to provide 50,000 acres for a miners' hospital in Arizona. We do not have on the Committee on Public Lands and Surveys any of the Senators from Pennsylvania; but we have miners in my State, Mr. President, hundreds of thousands of them, for whom the State of Pennsylvania has built miners' hospitals, I think about 12 in all. They are maintained by State appropriations, and not paid for by grants of public land by the United States. In Virginia, in Maryland, in West Virginia, in Ohio, in Indiana, in Illinois—

Mr. ASHURST. In New York.

Mr. REED of Pennsylvania. No; not New York—there are hundreds of thousands of miners. Why do we limit the benefits of this legislation to Utah and Arizona?

Mr. ASHURST. Mr. President, the question is a tribute to the Senator's power of observation and his pungency of mind.

When Pennsylvania was admitted, when she became a State, all her lands were available for her people except a few post-office sites, sites for other Federal buildings, and a few acres for docks and arsenals. All the area of that vast domain was available to the people. When, however, Utah was admitted 60 per cent—the able junior Senator from that State will correct me if I am wrong—50 or 60 per cent of the domain of that State was held by the strong arm of the Federal Government, not to be taxed to assist in supporting a State, not to be taxed or used in building up a State; but, although the Federal Government's strong arm had taken half the area of

Arizona and more than half the area of Utah and two-thirds of the area of Idaho, the Federal Government said, when it passed the enabling acts admitting them into the Union, "Inasmuch as we have taken a very large part of the area of your State, we will condescend to give you a few hundred thousand acres for State institutions."

So when Utah was admitted in 1896 these various State institutions, like the capitol, the penitentiary, the asylum for the insane, and the miners' hospital were granted so many acres of land; but the grant to Utah for her miners' hospital was only 50,000 acres.

Mr. REED of Pennsylvania. Mr. President—

Mr. ASHURST. Let me finish, please. Utah was admitted in 1896; and the fund that she has derived from her 50,000 acres during all these years is only about \$80,000.

Arizona was admitted in 1912, with 50,000 acres, and the fund that she has derived for the miners' hospital is only \$1,504 a year. So Utah and Arizona very properly say, "We wish first to have the appropriation of land for our State miners' hospital increased to the amount for the other State institutions, 100,000 acres."

The other States have not asked it, because they have had their 100,000 acres. Pennsylvania has no complaint to make, because the Federal Government did not withhold her lands when she was admitted.

Mr. REED of Pennsylvania. Pennsylvania is not complaining. Pennsylvania is just seeking information. Will the Senator tell me who pays the operating expenses of these hospitals?

Mr. ASHURST. The State.

Mr. REED of Pennsylvania. It is not done by Federal appropriation?

Mr. ASHURST. No, sir.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act making an additional grant of lands for miners' hospitals for disabled miners of the States of Utah and Arizona, and for other purposes."

Mr. BRATTON. Mr. President, I desire to emphasize the importance of what the Senator from Arizona has said with regard to the inequality on the part of the so-called public-land States as contrasted with States having their full territorial area subject to taxation.

If the Senator from Pennsylvania and those of like mind will surrender the public lands to the States in which they are located, we gladly shall absolve the Government from any obligation.

Mr. REED of Pennsylvania. Are not those lands available now for homestead entries and for mining entries?

Mr. BRATTON. Yes.

Mr. REED of Pennsylvania. Does not that return them or deliver them to the control of the States?

Mr. BRATTON. Oh, no. They are not subject to taxation.

Mr. REED of Pennsylvania. After they have been entered on?

Mr. BRATTON. After a homesteader has resided upon his entry the required time, and the land is patented, and the title thus passed, it becomes subject to taxation; but until that time the State is barred from receiving any income whatsoever from it.

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. BRATTON. I yield to my friend from Utah.

Mr. KING. May I say, in response to the question propounded by the Senator from Pennsylvania, that a very large percentage indeed—perhaps 80 or 90 or more per cent—of the remaining unoccupied nonmineral lands of the United States within the so-called public-land States are not susceptible of cultivation. No man could go upon those lands and carve out of them 160 acres or more than 500 acres, according to the enlarged homestead act, and make a living on them. That would be impossible. The only purpose that most of the lands can serve is for sheep grazing and cattle grazing; and it would be necessary to have an enormous area to graze a very small number of sheep or cattle. They do have some value for those purposes. Many of the lands of the State of Utah and some of the other Western States acquired under their enabling acts as grants from the Government were sold by the States for \$1.25 an acre.

These lands in the State of Utah that would under this act be carved out of the public domain probably would not be worth more than \$1.25 or \$2 an acre at the most, and that for sheep-grazing purposes. So the people will not go upon the land.

They can not get title; they can not comply with any law. Of course, if there are minerals there, then people may go on the land and locate mining claims.

Mr. REED of Pennsylvania. Mr. President, I have many times gone on record as favoring the delivery of all the Federal lands in those States to the States themselves. I believe that the Federal Government ought to surrender its proprietary ownership over those public lands. I hope that in the not distant future we may see that accomplished. My feeling in regard to the matter is not wholly out of generosity to the States, because I believe that the Federal ownership of a lot of nonproductive land in Western States is used as a basis for appropriations that would otherwise be indefensible.

Mr. BINGHAM. Mr. President, will the Senator from New Mexico yield?

Mr. BRATTON. I yield to the Senator from Connecticut.

Mr. BINGHAM. I only wanted to add my voice to the opinion which has been expressed by the Senator from Pennsylvania, and I hope to see the time come in the not distant future when the Western States will have the lands within their borders assigned to them for their own purposes. Personally, I have never been able to see the justification for the Federal Government retaining these enormous amounts of land in the Western States, and I shall be very glad to aid the Senator from New Mexico, or any other Senator, in securing what I conceive to be justice for the Western States in that regard.

Mr. BRATTON. Mr. President, I am glad to hear the Senator from Connecticut and the Senator from Pennsylvania express those sentiments. This is a subject to which I have given much thought. I think those lands should be ceded to the States. All the States in the Union should be on an equal footing, and I can not see that they are on an equal footing when one has the power to tax and receive income from all of the lands within its borders, and another is deprived of that right in respect to a part of the lands within its boundaries.

During the next session of the Congress I intend to introduce and push as expeditiously as I am able to do a bill to cede all of the public lands to the States in which they are located.

Mr. KING. Mr. President, will the Senator yield?

Mr. BRATTON. I yield.

Mr. KING. Mr. President, I have such a bill pending before the committee now. I introduced a bill of like character when I was a Member of the House of Representatives, and at every session of Congress since I have been in the Senate, since 1917, I have presented a bill for the cession of the public lands to the States within which those lands are found.

In the Senate I have always found a very sympathetic feeling toward the measures to which I have referred. When Senator Cummins was in the Senate, he expressed himself repeatedly in favor of my measure, and said that it would be better for the Federal Government financially to get rid of the public lands and cede them to the States.

Mr. SACKETT. Mr. President, may I ask what the possession of such land by the United States amounts to in the way of taxes to a State, for instance, like New Mexico? The kind of land the Senator from Utah has described seems to have very little value. What would it mean in the way of taxes?

Mr. BRATTON. The income to the State will be increased by whatever sum the taxes aggregate, because under the present situation the respective States receive no income whatever from the public lands.

Mr. SACKETT. Lands of that character, which people will not even enter and become proprietors of, can not yield very much.

Mr. BRATTON. They can be used for grazing livestock and similar purposes. They would be worth as much to the State as they are to the Government, so that their value would not be a proper element in considering whether they should be ceded to the States. They rightfully belong to the States, regardless of their value. The Senator's State has the right to exercise sovereignty over all lands within her borders, to tax them, and to receive tribute from them. My State does not enjoy that privilege. So the two States are not on an equal footing, and equality of privilege and prerogative on the part of the several States is a fundamental part of our system of government.

I desire to say to my friend from Utah that during the next session of Congress I shall join him in urging the passage of a bill; that is to say, appropriate legislation, to bring about the cession of the public lands to the States in which they are located.

Mr. KING. Mr. President, may I make one observation to my friend from Kentucky?

Mr. BRATTON. I yield.

Mr. KING. May I say to the Senator from Kentucky that when these lands pass into private hands some improvements

are made, wells are frequently dug, and houses and sheds are erected, so that the lands take on an additional value when they pass out of the hands of the Government into the hands of private individuals.

Mr. SACKETT. The land could pass now under the homestead act.

Mr. KING. Only in limited amounts.

Mr. BLEASE. Mr. President, what is before the Senate?

Mr. BRATTON. Conversation.

The PRESIDING OFFICER. The clerk will report the next bill on the calendar.

WAR FINANCE CORPORATION

The bill (S. 5684) to amend the War Finance Corporation act approved April 5, 1918, as amended, to provide for the liquidation of the assets and the winding up of the affairs of the War Finance Corporation after April 4, 1929, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the War Finance Corporation act of April 5, 1918, as amended, be, and the same is hereby, further amended so that at the close of April 4, 1929, the liquidation of the assets remaining at that time and the winding up of the affairs of the corporation thereafter shall be transferred to the Secretary of the Treasury, who for such purpose shall have all the powers and duties of the board of directors of the corporation under said act, as amended. For carrying out the provisions of this act the Secretary of the Treasury may assign to any officer or officers of the United States in the Treasury Department the exercise and performance, under his general supervision and direction, of any such powers and duties. He shall from time to time pay into the Treasury as miscellaneous receipts any moneys belonging to the corporation which, in his opinion, are not required for carrying on and completing the liquidation of its remaining assets and the winding up of its affairs, including reasonable provision for the further expenses thereof. Nothing in the said act, as amended, or this act, shall be construed to affect any right or privilege accrued, any penalty or liability incurred, any criminal or civil proceeding commenced, or any authority conferred thereunder, except as herein provided in connection with the liquidation of the remaining assets and the winding up of the affairs of the said corporation, until the Secretary of the Treasury shall find that such liquidation will no longer be advantageous to the United States and that all of its lawful obligations have been met, whereupon he shall retire any capital stock then outstanding, pay into the Treasury as miscellaneous receipts the unused balance of the moneys belonging to the corporation, and make the final report of the corporation to the Congress. Thereupon the corporation shall be deemed to be dissolved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN W. STOCKETT

Mr. REED of Missouri. Mr. President, I desire to make a short statement with reference to an item in the military appropriation bill, passed yesterday.

There was an item regarding John W. Stockett, which was embraced in an amendment which I offered, and which was incorporated in the bill. A bill carrying the same item had previously passed the Senate, had gone to the House, and had been amended, and a conference had been asked, which was not granted for a long period of time. It finally was granted, but the last attempt at a hearing was delayed by the application of the junior Senator from Nebraska [Mr. HOWELL], who was ill and could not attend, and who desired to have an opportunity to consider the bill. In so far as any delay in the matter of considering the item in conference is concerned, the Senator from Nebraska was only asking for time in which to examine into the matter. In the meantime I took the course of presenting the matter to the Senate again as an amendment to the military appropriation bill.

I make this statement in justice to the Senator from Nebraska, so that it may be known that he was in no manner responsible for any of the delays touching the consideration of the matter.

FEDERAL FARM LOAN ACT

The bill (S. 4577) to amend section 29 of the Federal farm loan act, and for other purposes, was announced as next in order.

Mr. BLEASE. Let the bill go over. I want to make a speech on it.

The PRESIDING OFFICER. The bill will be passed over.

CHARLES J. HUNT

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent to return to Order of Business No. 1663, House bill 10327, for the relief of Charles J. Hunt. When the bill was reached on the calendar the Senator from Utah [Mr. KING] objected, and he has kindly consented to withdraw his objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXTENSION OF FARM LOAN ACT TO PORTO RICO

Mr. BINGHAM. Mr. President, the other day when Senate bill 5302, to amend the second paragraph of section 4 of the Federal farm loan act, as amended, was reached on the calendar, it was objected to by the Senator from Rhode Island [Mr. METCALF]. He has since looked into the matter, and has withdrawn his objection. I now ask unanimous consent that we proceed to the consideration of the bill, which grants to Porto Rico the same rights and the same limit with regard to farm loans as apply to the States.

May I say that I am informed by the officials of the Farm Loan Board that the Porto Rican branch of the farm loan bank, in Baltimore, is one of the best banks in the United States, that its record for paying its debts and for meeting its obligations is second to none.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment, on page 2, line 11, to strike out "\$15,000," and to insert in lieu thereof "\$25,000," so as to make the bill read:

Be it enacted, etc., That the second paragraph of section 4 of the Federal farm loan act, as amended, is amended to read as follows:

"The Federal Farm Loan Board shall establish in each Federal land bank district a Federal land bank, with its principal office located in such city within the district as said board shall designate. Each Federal land bank shall include in its title the name of the city in which it is located. Subject to the approval of the Federal Farm Loan Board, any Federal land bank may establish branches within the land bank district. Subject to the approval of the Federal Farm Loan Board and under such conditions as it may prescribe, the provisions of this act are extended to the island of Porto Rico and the Territory of Alaska; and the Federal Farm Loan Board shall designate a Federal land bank which is hereby authorized to establish a branch bank in Porto Rico and a Federal land bank which is hereby authorized to establish a branch bank in the Territory of Alaska. Loans made by each such branch bank shall not exceed the sum of \$25,000 to any one borrower and shall be subject to the restrictions and provisions of this act, except that each such branch bank may loan direct to borrowers, and, subject to such regulations as the Federal Farm Loan Board may prescribe, the rate charged borrowers may be 1½ per cent in excess of the rate borne by the last preceding issue of farm-loan bonds of the Federal land bank with which such branch bank is connected: *Provided*, That no loan shall be made in Porto Rico or Alaska by such branch bank for a longer term than 20 years."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNITED STATES SUPREME COURT BUILDING COMMISSION

Mr. KEYES. Mr. President, I report favorably from the Committee on Public Buildings and Grounds Senate Joint Resolution 213, to provide for extending the time in which the United States Supreme Court Building Commission shall report to Congress. I am sure there will be no opposition, and I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That section 2 of the act entitled "An act to provide for the submission to the Congress of preliminary plans and estimates of costs for the construction of a building for the Supreme Court of the United States," approved December 21, 1928, is amended by striking out "March 1, 1929," and inserting in lieu thereof "the first day of the first regular session of the Seventy-first Congress."

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GRANVILLE M. AND DOROTHY M. PEARSON

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate Resolution 304, submitted by Mr. DALE January 23, 1929, reported it favorably without amendment, and it was considered, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1928, to Granville M. Pearson and Dorothy M. Pearson, son and daughter, respectively, of Granville W. Pearson, late an employee of the Senate under the direction of the Sergeant at Arms, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

Mr. JONES. Is that according to precedent?

Mr. DENEEN. The time of service was 39½ years. The policy is to grant one year's pay where the employee has served 25 years.

The resolution was agreed to.

NELLIE C. BOND ROOT

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate Resolution 307, submitted by Mr. GREENE January 26, 1929, reported it without amendment, and it was considered, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Nellie C. Bond Root, daughter of George H. Bond, late an employee of the Senate under direction of the Sergeant at Arms, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

Mr. DENEEN. According to the notation, the service was for 39 years.

Mr. KING. What was the character of the service?

Mr. DENEEN. It is stated in the resolution as messenger.

The resolution was agreed to.

INVESTIGATION OF ELECTION OF SENATOR FROM PENNSYLVANIA, 1926

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate Resolution 310, submitted by Mr. SHORTRIDGE January 28, 1929, reported it without amendment, and it was considered and agreed to, as follows:

Resolved, That Senate Resolution 68, agreed to on December 17, 1927, authorizing the Committee on Privileges and Elections to investigate the election of a Senator from the State of Pennsylvania in 1926, hereby is continued in full force and effect until the end of the first regular session of the Seventy-first Congress.

KATHARINE NICHOLS CONNER

Mr. DEENEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate Resolution 318, submitted by Mr. MCKELLAR January 30, 1929, reported it favorably without amendment, and it was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay to Katharine Nichols Conner, widow of John W. Conner, late a messenger in the employ of the Senate, under direction of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported a resolution (S. Res. 325), which was read, considered, and agreed to, as follows:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate, or any subcommittee thereof, is authorized during the Seventieth and Seventy-first Congresses to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

BOARD OF VISITORS TO THE PHILIPPINE ISLANDS

Mr. BINGHAM. Mr. President, I ask the Senator from Illinois, the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, whether there has been a report made on the bill relating to the board of visitors to the Philippine Islands, which has been before the committee for some months.

Mr. DENEEN. Action on that bill, and four others, went over to the next meeting of the committee.

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

Mr. BINGHAM. Mr. President, I send to the desk a very interesting and able article by Representative TILSON, the Re-

publican leader of the House, in regard to apportionment bill, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The article is as follows:

[From the New York Times, Sunday, February 3, 1929]

WANTS NO INCREASE OF HOUSE MEMBERS—IN FACT, THE REPUBLICAN FLOOR LEADER BELIEVES WE COULD DO WITH FEWER REPRESENTATIVES—URGES REAPPORTIONMENT—BILL RECENTLY PASSED MEETS ALL NEEDS OF THE SITUATION, MR. TILSON DECLARES

By JOHN Q. TILSON, Republican leader of the House of Representatives

It is provided in the Constitution that every 10 years the membership of the House of Representatives shall be reapportioned among the several States according to population, and this was done after each decennial census up to and including the census of 1910. After the census of 1920 had been taken an effort was made to reapportion under it, but without success. More than eight years have since elapsed. Numerous attempts have been made to obtain action, but the problem remains unsolved.

There is serious danger that 1930 will come and go without a reapportionment. The time has come, therefore, when this problem should be brought to the attention of the country in such a way as to call forth an active public sentiment on behalf of a question which strikes to the very roots of our form of popular government. Strange as it may seem, comparatively few people have paid the slightest attention to it, although to the credit of the press of the country it must be said that a very considerable number of newspapers have consistently urged reapportionment. Unfortunately many of these, however, have been content to abuse Congress for inaction instead of helping to arouse a public interest that could not be resisted by Congress. Three times the question has been considered in the House apparently without arousing public interest except in the few sections like southern California and Michigan, where the present inequalities are greatest. In fact, the average person outside of these two States does not appear to fully realize the danger that confronts us if the constitutional provision for a reapportionment every 10 years is persistently ignored.

SHOULD REPRESENT POPULATION

Truly representative government in this country will cease to exist unless the membership of the House of Representatives shall with some degree of accuracy represent the population. Under the Constitution the Senate is established to represent the several States, while the function of the House is to represent the population. In theory, each Member of the House is supposed to speak for an equal number of people, so that a majority of this body will represent a majority of the people, regardless of State lines.

As the country grows there is a continuous redistribution of the population. Our forefathers wisely foresaw that only by reapportionment at frequent intervals could the House of Representatives be maintained as a truly representative body. The men who drafted the Constitution doubtless had in their minds the conditions which through a long period of years had gradually grown up in England under the so-called "rotten borough" system, which was still growing worse when our Constitution was written. Many members of Parliament represented districts in which there were but a handful of people, and as a result Parliament was dominated by the great landowners, who in many instances literally owned the so-called "rotten boroughs."

Since 1910, owing to the Great War and other influences, there has been a very pronounced and well-regulated redistribution of population in the United States, so that the failure of Congress to reapportion on the basis of the 1920 census carried us perceptibly in the direction of inequality in popular representation among the States, which inevitably leads toward the "rotten borough" system. The present decade will doubtless carry us further in the same direction. I do not believe that the Republic is in imminent danger of disruption or disintegration on account of the steps already taken in a wrong direction, because I believe that we will promptly retrace these steps; but as leader of the responsible majority in the House I deem it my duty to call attention to and give warning of any danger that might seriously threaten our democratic institutions.

THREE VOTES IN AS MANY YEARS

Since 1921 many Members of Congress and others have felt uncomfortable on account of the failure of Congress to perform a perfectly plain duty under the Constitution. When I became floor leader of the House at the beginning of the Sixty-ninth Congress I began to cast about for some method by which failure to perform this duty for the future might be prevented. I called in my colleague, Mr. FENN, the chairman of the Committee on the Census, and suggested to him the plan of an anticipatory law fixing the membership of the House and providing a method for the proper allocation by the Secretary of Commerce, as a purely ministerial duty, of the fixed number of Representatives among the several States according to the population as determined by the 1930 census. For the last three years the Committee on the Census has been working on the details of such a bill.

During this time on three different occasions the House of Representatives has been brought to a vote on the question.

On January 11 the House finally passed a bill fixing the membership of the House at 435, the present membership, and providing that this number shall be allotted to the several States in accordance with the provisions of the Constitution as applied to the census taken in 1930. If there were no direct reference to the matter in the bill itself, it goes without saying that action by the next Congress would supersede any action taken by this Congress; but in order to avoid even the appearance of attempting to limit the freedom of action of the next Congress the pending bill specifically provides that it is to go into effect only if and when the next Congress fails to make a reapportionment under the 1930 census. In other words, such legislation now will serve as a guaranty that either the next Congress will act as it is in duty bound to act or in default of such action the provisions of the present bill will automatically become effective.

As this is written the bill that passed the House is awaiting action in the Senate, and it is hoped that sufficient interest will be aroused throughout the country to impress upon that body the grave importance of enacting this bill into law before the end of the present Congress.

AVOIDING LARGER MEMBERSHIP

The fundamental reason for the failure to reapportion after the 1920 census was because of the considerable increase in membership carried in the bill that passed the House at that time. In this the House was only copying the bad example set by previous Congresses following the census for the last five decennial periods in attempting to fix the size of the House so as to prevent States from losing any part of their representation. After the Ninth Census the membership of the House was increased from 243 to 293; after the Tenth Census to 332; after the Eleventh to 357; after the Twelfth to 391; and after the Thirteenth Census (1910) to 435.

The veteran Representative and Senator, THEODORE E. BURTON, on December 15 last, for the second time left the House to enter the Senate. In his farewell remarks he warned the House against further increases in its membership. He referred to the three occasions during his service in Congress when the size of the House was increased in order to prevent certain States losing representation and reminded us that on each of these occasions the increase was made with the distinct promise that the membership should not be increased again.

After the changes in the seating arrangements of the House made necessary by the addition of nearly 50 Members following the 1910 census had been carried out and the inevitable effects of an increasingly unwieldy body began to make themselves felt, a decided sentiment against further increase began to make itself felt both in and out of Congress so that the proposed increase following the 1920 census was not generally acceptable, and this was the real cause for the failure to reapportion at that time. An additional reason or excuse advanced at the time was that the census taken early in 1920, so soon after the great disturbance caused by the war, did not accurately reflect the permanent distribution of the population as between rural and urban communities. This, however, of itself would not have been sufficient to prevent reapportionment had it not been for the firmly grounded and growing sentiment against further increase in the size of the House.

It is argued that the number of Representatives should keep pace with the increase in population, so that a Member of Congress would always represent about the same number of people. Such a proposal is neither sound nor practicable. If this policy had been followed from the First Census down to the present time, we should now have a House of Representatives numbering between three and four thousand Members, which would be a grotesque absurdity.

Others argue that the membership of the House should increase rapidly enough at least to take care of the additional Members from the most rapidly growing States, so that no State should ever lose in the number of its Representatives. During the last 50 years this argument has prevailed in almost every instance. The difficulty is that the difference in the rate of growth between some of the older States and some of the newer or more rapidly growing States is so great that the House would need to be enlarged by about 50 Members every 10 years in order to take up the increase. Such an increase every 10 years would be, in my judgment, little short of a public calamity.

HOUSE TOO LARGE NOW

The House should not be further increased. It is already too large. If it were practicable to reduce it considerably under 400, I should favor it; but this is not practicable. It is a difficult task to prevent it growing larger, and if the pending bill should fail in the Senate I doubt whether it would be possible to prevent an increase in membership in case there should be reapportionment at all.

Many of those who have watched and studied the growing difficulties of an increasingly unwieldy membership are determined not to be a party to a further increase if it can be prevented; and many prefer no apportionment at all if this is the only alternative. Either result would be a great misfortune, and yet this is the dilemma that may confront Congress in case the decennial census period should again pass without previous legislation. When the 1930 census shall have been taken and

it is figured out just the number of Representatives each State will lose under a reapportionment, it will be far more difficult than it now is to secure legislation having this result. The pending bill, if enacted into law, would cure the effects of inaction, but only by the sound judgment of the next Congress prevailing over personal interest and State pride can the further increase in the House be prevented in case any action whatever is taken.

The examples of foreign parliamentary bodies are cited in favor of a larger membership. It is true that most of the parliaments of the world are larger than our House of Representatives and many countries have relatively larger legislative bodies as measured by total population. The composition of most of these bodies, however, and the nature of the function they serve in government are so different from our own Congress that there is practically no analogy.

In the British House of Commons there are about 650 members, but their system of government is so different from our own that no criterion for comparison exists. The rank and file of the members of that body attend only on extraordinary occasions. The heads of the several executive departments are also the leaders in Parliament and practically control all legislation. A quorum in the House of Commons is 100, while 40 is a quorum in the committee of the whole. Less than one-third of the total membership could find seats if by any unforeseen chance they should all happen to visit Parliament House at one time.

The French Chamber of Deputies is in no accurate sense comparable with the House of Representatives. It functions quite differently. Its large membership is made up of many different party blocs which on most occasions are voted en masse by their respective leaders without the necessity of the presence of individual members.

WOULD REQUIRE NEW SYSTEM

The example of other legislative bodies might be cited, but, as I have said, none of them may properly serve as a criterion by which to judge or with which to compare our own House of Representatives. Do we desire our House of Representatives to develop into the character of the legislative bodies above indicated or, for that matter, any other which might be cited? Such a development would completely change our system of government.

The House of Representatives is a deliberative body. It is and is designed to be representative of the people themselves, who are the real sovereigns under our system of government. Each Member here is in fact, as in theory, equal in power and equal in responsibility, except as one Member or another may be clothed by his colleagues with temporary power or authority for the public good or for the convenience of all, and then entirely subject always to the will of a majority of the House. The entire membership of the House, theoretically and actually, participates in legislation and it is to be hoped that the House will never become so large as to make this difficult or impossible.

Upon the demand of any one Member of the House of Representatives more than one-half the entire membership must be present before the most trifling item of business may be transacted. If it were not for this wholesome provision of the Constitution, it is quite probable that we, too, should find a smaller attendance even upon roll calls than is now the case. The present tendency is that as the House increases in size the percentage of habitual absenteeism also increases. It would be far better to have a smaller total membership with a higher percentage of regular attendance.

Worst of all, there is an element of justification for the absence of Members during sessions of the House in the fact that even with the present size of the House there is considerable difficulty in understandingly transacting business if the entire membership is actually present.

The limit has been reached in the size of the House, so that further increase in membership means either less efficiency or, worse still, a gradual but complete change in the character of the function to be performed by the House. It is not a good time in the history of our political development for such a change. It can be prevented, or at any rate stopped where it now is, by fixing for the time being the limit of membership where it now is, and this the bill now pending in the Senate will make certain. It is to be hoped that nothing may prevent its passage by that body before the end of the present Congress.

EXECUTIVE SESSION

Mr. JONES. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, February 11, 1929, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 9 (legislative day of February 7), 1929

IN THE ARMY

GENERAL OFFICER

Ludwig Shaner Conelly to be brigadier general, reserve, Ohio National Guard.

APPOINTMENT BY TRANSFER

Charles Roderick Mize to be first lieutenant, Finance Department.

Harold Oakes Bixby to be first lieutenant, Signal Corps.

APPOINTMENT BY PROMOTION

Jay Paul Hopkins to be colonel.

Edmund Clivious Waddill to be lieutenant colonel.

PHILIPPINE SCOUTS

Allen Samuel Fletcher to be lieutenant colonel.

REGULAR ARMY—APPOINTMENTS BY PROMOTION

Harvey Cecil Maxwell to be captain, Medical Corps.

James Ogilvie Gillespie to be captain, Medical Corps.

PROMOTIONS IN THE NAVY

Ross F. Collins to be lieutenant commander, United States Naval Reserve.

Laurance N. McNair to be captain.

George L. Harriss to be lieutenant commander.

Hugh H. Goodwin to be lieutenant.

Thomas J. Raftery to be lieutenant.

George T. Smith to be medical director, with the rank of rear admiral from the 27th day of June, 1920.

Henry C. Weber to be surgeon, with the rank of lieutenant commander from the 1st day of July, 1926.

Carl L. Hansen to be lieutenant commander.

Kent H. Power to be lieutenant.

Armand J. Robertson to be lieutenant.

Corydon H. Kimball to be lieutenant.

Robert W. Morse to be lieutenant.

Joe W. Stryker to be lieutenant (junior grade).

Clanton E. Austin to be lieutenant (junior grade).

Harry D. Johnson to be dental surgeon with rank of commander.

Tucker C. Gibbs to be paymaster with rank of lieutenant commander.

Norman A. Helfrich to be assistant paymaster with rank of ensign from the 3d day of June, 1926.

Charles Le V. Smith to be chief pay clerk.

MARINE CORPS

Thomas Holcomb to be colonel.

George W. Shearer to be captain.

Eli Savage to be captain.

Edward B. Moore to be captain.

Harold W. Whitney to be captain.

Claude A. Phillips to be captain.

John W. Beckett to be captain.

John Halla to be captain.

Kenneth A. Inman to be captain.

Lester N. Medaris to be captain.

Robert S. A. Gladden to be first lieutenant.

Arthur T. Mason to be first lieutenant.

Saville T. Clark to be second lieutenant.

Joseph J. Tavern to be second lieutenant.

Joe A. Smoak to be second lieutenant.

John V. Rosewaine to be second lieutenant.

Hewin O. Hammond to be second lieutenant.

Harvey E. Dahlgren to be second lieutenant.

William I. Phipps to be second lieutenant.

Burns D. Goodwin to be chief quartermaster clerk.

POSTMASTERS

ALABAMA

Rupert M. Bearden, West Blocton.

FLORIDA

Robert E. Coates, Fort Meade.

Ward M. Parker, Venice.

GEORGIA

Josie M. Crawford, Dalton.

Camillus L. Roberds, Villa Rica.

George A. Poche, Washington.

IDAHO

Albert O. Edwards, Grangeville.

LOUISIANA

Albert C. Locke, Marthaville.

Jason Taylor, Newellton.

MICHIGAN

Ronald H. Macdonald, Dollar Bay.

Frank Leonard, Hubbell.

MINNESOTA

Marvin R. Christensen, Arco.

Llewellyn L. Medbery, Browns Valley.

Willie W. Bunday, Dennison.

Lafayette R. Willis, Hitterdal.
Henry B. Young, Holt.
Oswald H. Jacobson, Rothsay.
Frank W. Hanson, Rush City.
Arnold C. Klug, Zumbrota.

MISSOURI

Ira E. Knight, Conway.
Bert G. Bottorff, New London.

MONTANA

Myrtle H. Keselring, Sunburst.

NEBRASKA

Eugene V. Hickok, Atkinson.

NEVADA

Katie O'Connor, Virginia City.

NEW MEXICO

Hilarlo A. Delgado, Sante Fe.

NEW YORK

Kenneth C. Steblen, Cape Vincent.
Alice C. Lewis, Gilboa.

OREGON

Theresa Scott, Jordan Valley.

PENNSYLVANIA

Jennie S. Curren, Gordon.
Russell J. Horne, Marianna.
Bertha N. Stiner, Moylan.
Spencer M. Lloyd, Republic.

PORTO RICO

Jose R. Sotomayor, Barceloneta.

SOUTH CAROLINA

John G. Jones, Allendale.
Mack M. Stewart, Winnsboro.

SOUTH DAKOTA

Julius S. Clevan, Brookings.
Irene Olsen, Eureka.

TEXAS

Claude Jones, Brownfield.
John C. Ray, Hutto.
Alexander P. Hicks, Taylor.

WASHINGTON

William A. Coates, South Washington.

HOUSE OF REPRESENTATIVES

SATURDAY, February 9, 1929

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

With Thee, our Heavenly Father, as our ever-present help, the fine fidelities of service shall prevail. Thy sovereignty takes up all human choices and deeds and shapes them into Thy eternal purpose. Oh, bless us with a nobler self-hood, enriched from Thy infinite fullness. Not less of life, but life that is more abundant, for this we ask. Stay with us in famine and in plenty, in sickness and in health. Fortify us with Thy wisdom, stimulate us with Thy love, then we shall rejoice and triumph in Thee. Thy mercy is no desert stream that loses itself in the sands, but it widens and deepens in the breadth of the vastness of the infinite ocean. Glory be to Thee, O Lord, Most High. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill and concurrent resolution of the House of the following titles:

H. R. 14479. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio; and

H. Con. Res. 46. Concurrent resolution amending section 6 of the House concurrent resolution establishing the United States Yorktown Sesquicentennial Commission.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 15712. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes,

The message also announced that the Senate insists upon its amendments to the bill (H. R. 349) entitled "An act to supplement the naturalization laws, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON, Mr. REED of Pennsylvania, and Mr. CORP- LAND to be the conferees on the part of the Senate.

ELECTORAL VOTES

The SPEAKER. The Chair lays before the House the following communication from the Secretary of State:

DEPARTMENT OF STATE,

Washington, February 5, 1929.

The honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Sir: According to the provisions of section 2 of the act approved May 29, 1928, the Secretary of State of the United States shall receive from each State two certificates relating to the presidential election. One certificate is that of the final ascertainment of electors of President and Vice President. The other certificate is that of the electors themselves and the law provides that to that certificate there shall be attached a copy of the certificate of the final ascertainment of electors of President and Vice President.

Your attention is called to the fact that the State of Mississippi, although it has sent in the second certificate, together with a copy of the first certificate properly certified by the governor, has not transmitted a separate certificate of the final ascertainment of electors for President and Vice President as provided by the act.

For your information there is inclosed a photostat copy of the certificate of final ascertainment of President and Vice President which was appended to the certificate of the electors as described above. It may be added that the department, under date of January 22, 1929, called the attention of the Governor of Mississippi to the fact that the certificate of final ascertainment had not been received by the department, but no reply has yet been received to this communication.

I have the honor to be, sir, your obedient servant,

FRANK B. KELLOGG.

PAY AND ALLOWANCES OF THE COMMISSIONED AND ENLISTED PERSONNEL OF THE ARMY, NAVY, ETC.

Mr. BRITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 12032, a bill to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, as amended, and agree to the Senate amendment.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table House bill 12032, with a Senate amendment, and concur in the amendment. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

RELIEF OF THOMAS W. MOORE

Mr. MORIN. Mr. Speaker, by direction of the Committee on Military Affairs, I ask unanimous consent to take from the Speaker's table H. R. 13097, a bill for the relief of Thomas W. Moore, and agree to the Senate amendment.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table House bill 13097, with a Senate amendment, and concur in the same. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

COMPACTS OR AGREEMENTS BETWEEN VARIOUS STATES

Mr. SMITH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House bill 6496, granting the consent of Congress to compacts or agreements between the States of New Mexico and Oklahoma with respect to the division and apportionment of the waters of the Cimarron River and all other streams in which such States are jointly interested; House bill 6497, granting the consent of Congress to compacts or agreements between the States of New Mexico, Oklahoma, and Texas with respect to the division and apportionment of the waters of the Rio Grande, Pecos, and Canadian or Red Rivers, and all other streams in which such States are jointly interested; House bill 6499, granting the consent of Congress to compacts or agreements between the States of New Mexico and Arizona with respect to the division and apportionment of the waters of the Gila and San Francisco Rivers and all other

streams in which such States are jointly interested; House bill 7024, granting the consent of Congress to compacts or agreements between the States of Colorado and New Mexico with respect to the division and apportionment of the waters of the Rio Grande, San Juan, and Las Animas Rivers, and all other streams in which such States are jointly interested; House bill 7025, granting the consent of Congress to compacts or agreements between the States of Colorado, Oklahoma, and Kansas with respect to the division and apportionment of the waters of the Arkansas River and all other streams in which such States are jointly interested, and disagree to the Senate amendments.

The SPEAKER. The Clerk will report the first bill, with the Senate amendment.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LAGUARDIA. Is it not proper to call up these bills one at a time?

The SPEAKER. They will be reported to the House one at a time. The Clerk will report House bill 6496, with the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, which I do not intend to do, as I understand it the gentleman's request is only to disagree to the Senate amendment.

The SPEAKER. The request of the gentleman from Idaho is that the Senate amendment be disagreed to. Is there objection?

Mr. McFADDEN. Mr. Speaker, reserving the right to object, is there anything here which pertains to the Columbia River Basin project?

Mr. SMITH. Nothing at all.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was disagreed to.

The SPEAKER. The Clerk will report the next bill, H. R. 6497, with the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, do I understand that the gentleman is taking this course by direction of the committee?

Mr. SMITH. Yes; by direction of the committee.

Mr. GARBER. What is the effect of the Senate amendment?

Mr. SMITH. The Senate amendment provides that the officer to represent the Federal Government in connection with these deliberations with the State commissions shall be appointed without limitations, while the House bill provides that the representative shall be appointed from the Department of the Interior. We think some one could be detailed from the Department of the Interior and thus save the expense of having an individual from private life as could be done under the Senate amendment.

Mr. GARBER. The gentleman is now acquiescing in the Senate amendment, is he not?

Mr. SMITH. No; we are disagreeing to the Senate amendment.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SMITH. Yes.

Mr. LAGUARDIA. What is the purpose of the gentleman's strategy in disagreeing and not asking for a conference?

Mr. SMITH. In order to give the Senate an opportunity to reconsider and recede without a conference.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was disagreed to.

The SPEAKER. The Clerk will report the next bill (H. R. 6499).

The Clerk read the title of the bill.

The Clerk read the Senate amendment.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The Senate amendment was disagreed to.

The SPEAKER. The Clerk will report the next bill (H. R. 7024).

The Clerk read the title of the bill.

The Clerk read the Senate amendment.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The Senate amendment was disagreed to.

The SPEAKER. The Clerk will report the next bill (H. R. 7025).

The Clerk read the title of the bill.

The Clerk read the Senate amendment.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The Senate amendment was disagreed to.

BRIDGE ACROSS THE FRENCH BROAD RIVER

Mr. DENISON. Mr. Speaker, I call up the bill (S. 5301) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on Tennessee Highway No. 9 in Cocke County, Tenn., a similar House bill, H. R. 16218, having been reported and now being on the calendar.

The Clerk read the title of the bill.

The SPEAKER. The Chair understands that a similar House bill has been reported?

Mr. DENISON. Yes; a similar House bill has been reported and is now on the calendar.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Highway Department of the State of Tennessee to construct, maintain, and operate a free bridge and the approaches thereto across the French Broad River, near Bridgeport, at a point suitable to the interests of navigation, on Tennessee Highway No. 9 in Cocke County, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE MONONGAHELA RIVER

Mr. DENISON. Mr. Speaker, I call up the bill (S. 5377) granting the consent of Congress to the Pittsburgh & West Virginia Railway Co. to construct, maintain, and operate a railroad bridge across the Monongahela River, a similar House bill being on the calendar.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Pittsburgh & West Virginia Railway Co., its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Monongahela River at a point suitable to the interests of navigation, at Charleroi, county of Washington, State of Pennsylvania, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Pittsburgh & West Virginia Railway Co., its successors and assigns; and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS LAKE CHAMPLAIN

Mr. DENISON. Mr. Speaker, I call up the bill (S. 4560) authorizing Elisha N. Goodsell, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain between a point at or near Rouses Point, N. Y., and a point at or near Alburgh, Vt., a similar House bill being on the calendar.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, Elisha N. Goodsell, of Alburgh, Vt., his heirs, legal representatives, and assigns, be, and he is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Lake Champlain, at a point suitable to the interests of navigation, at or near Rouses Point, N. Y., to a point at or near Alburgh, Vt., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. There is hereby conferred upon Elisha N. Goodsell, his heirs, legal representatives, and assigns, all such rights and powers to enter

upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Elisha N. Goodsell, his heirs, legal representatives, and assigns are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of New York, the State of Vermont, any public agency or political subdivision of either of such States within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches and any interest in real property necessary therefor, by purchase or condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. Elisha N. Goodsell, his heirs, legal representatives, and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of New York and Vermont a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War, may and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable cost of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Elisha N. Goodsell, his heirs, legal representatives, and assigns, shall make available all his records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all rights, powers, and privileges conferred by this act is hereby granted to Elisha N. Goodsell, his heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

PENSIONS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the bill (H. R. 16878) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and so forth, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, may be taken from the Speakers' table and considered in the House as in Committee of the Whole.

This is an omnibus pension bill that should have been considered yesterday, under the rules.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of the bill H. R. 16878, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the bill may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill.

This bill is a substitute for the following House bills referred to said committee:

H. R. 5915. Mary R. Welsh.	H. R. 15433. Kate Thomas.
H. R. 8817. Fannie A. Struhs.	H. R. 15511. Margaret C. Donovan.
H. R. 9526. Samuel A. Kersey.	H. R. 15531. Ellen Noonan.
H. R. 10719. Louisa E. Prall.	H. R. 15600. Lena Jenkins.
H. R. 12494. William H. Revelle.	H. R. 15630. Minnie V. Stahl.
H. R. 12561. Margaret E. Hayes.	H. R. 15644. Carola M. Tonry.
H. R. 12713. Ida C. Watson.	H. R. 15691. Mary R. Gehlbach.
H. R. 12747. Mary J. Thomas.	H. R. 15750. Clara E. Moor.
H. R. 12825. Sarah Stanfield.	H. R. 15751. Anna Steele.
H. R. 12847. Mary C. Judson.	H. R. 15794. Ellis B. McNeeley.
H. R. 13672. Caroline Ryder.	H. R. 15812. George Curry.
H. R. 13681. Mary Peterson.	H. R. 15819. Peter F. Van Auker.
H. R. 14142. Fred Koeckritz.	H. R. 15844. Rachel L. Morris.
H. R. 14236. Frank B. McCartney.	H. R. 15872. Johanna Moss.
H. R. 14378. Rose Z. Cote.	H. R. 15899. Sarah A. Byam.
H. R. 14386. Sarah R. Atwood.	H. R. 15907. Charles R. Reist.
H. R. 14396. Clinton A. Short.	H. R. 15910. Margaret Harrold.
H. R. 14490. Elizabeth A. Wilkin-	H. R. 15959. Lizzie Gullett.
son.	H. R. 16105. Nancy M. Oglesby.
H. R. 14515. George E. Jones.	H. R. 16156. James Thompson.
H. R. 14559. Sam H. Wilkinson.	H. R. 16260. Thomas Waters.
H. R. 14702. John F. Halpin.	H. R. 16261. Minnie Yearout.
H. R. 14836. Morrow B. Wilson.	H. R. 16294. William E. Dollard.
H. R. 14885. Clarence Dehart.	H. R. 16326. Maggie L. Gibson.
H. R. 15030. John Stoll.	H. R. 16335. William W. Cook.
H. R. 15097. Emma P. Ripley.	H. R. 16411. Mary H. Goldberger.
H. R. 15129. Catherine Krips.	H. R. 16415. Mary Dunn.
H. R. 15237. Urtilla N. Schroeder.	H. R. 16493. Robert J. Edwards.
H. R. 15283. Emma C. Bragg.	H. R. 16552. Martha A. Osborne.
H. R. 15302. Americus Watt.	H. R. 16667. Samuel Round.
H. R. 15411. Edward G. Murton.	H. R. 16684. Mary C. Brown.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

RELIEF OF FARMERS IN STORM AND FLOOD STRICKEN AREAS, SOUTHEASTERN UNITED STATES

Mr. SNELL. Mr. Speaker, by direction of the Committee on Rules I submit a privileged report on the resolution H. Res. 312 for printing in the RECORD.

The resolution is as follows:

House Resolution 312

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 182, for the relief of farmers in the storm and flood stricken areas of southeastern United States. That after general debate, which shall be confined to the Senate joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by those favoring and opposing the Senate joint resolution, the Senate joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the Senate joint resolution for amendment, the committee shall arise and report the Senate joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the Senate joint resolution and the amendments thereto to final passage without intervening motion except one motion to recommit.

The resolution was referred to the House Calendar and ordered to be printed.

AGRICULTURAL APPROPRIATION BILL—CONFERENCE REPORT

Mr. DICKINSON of Iowa. Mr. Speaker, I present a conference report upon the bill (H. R. 15386) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1930, and for other purposes, for printing under the rule.

SANCTUARIES FOR THE PROTECTION OF MIGRATORY BIRDS

Mr. WILLIAMS of Illinois. Mr. Speaker, I call up a privileged report from the Committee on Rules, House Resolution 307.

The Clerk read the resolution as follows:

House Resolution 307

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole on the state of the Union for the consideration of S. 1271, an act to more effectively meet the obligations of the United States under the migratory bird treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes, by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by those favoring and opposing the bill, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall arise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. WILLIAMS of Illinois. Mr. Speaker, this resolution makes in order the consideration of the migratory bird refuge bill. This matter, in various forms, has been before Congress for some years. Everyone has recognized the urgent necessity of the Federal Government taking action that would protect the wild fowl of the United States, but in all the bills that have been reported heretofore there has appeared provisions that aroused so much opposition from various sources, that it has not been possible to get the enactment of an adequate law.

The bill we are about to consider has removed, I think almost entirely, the objectionable and controversial features which have appeared in bills presented heretofore.

This bill provides, first, for the creation of a commission known as the migratory bird conservation commission.

This commission is to be composed of the Secretary of Agriculture, who is ex-officio chairman of the commission; the Secretary of the Interior; two Members of the Senate, to be appointed by the Presiding Officer of the Senate; and two Members of the House of Representatives, to be appointed by the Speaker. Associated with this commission in its duties will be the heads of the game department of the various States in matters relating to such States, or in States where they have no game department the governor, or some one authorized to act for him, will sit with the commission, taking part in the transactions of the commission applicable to those States.

This measure does not provide for public shooting, a feature there has been carried in former bills. It is a simon-pure migratory bird conservation measure. It carries an appropriation from the Federal Treasury. The license feature always carried in bills heretofore has been omitted.

The appropriation authorized in the bill for the first year ending June 30, 1930, is \$75,000; for the next year it is \$200,000; for the third year it is \$600,000; and \$1,000,000 thereafter for six years.

The \$75,000 to be expended the first year under the plan outlined to the committee by the Department of Agriculture will be to make a survey of the United States and secure options on desirable locations for the proposed sanctuaries. There will be no acquisition of land or sites under the appropriation for the first year. It will be a general survey by the Department of Agriculture to determine where such sanctuaries can properly be located.

When the entire program contemplated in the bill is completed, we will have probably something like 125 of these refuge stations throughout the country; there will be one or more in each State of the Union. These lands will be acquired after the location has been decided upon by the commission under the terms of the bill.

Mr. GARBER. Will the gentleman yield?

Mr. WILLIAMS of Illinois. I yield to the gentleman.

Mr. GARBER. Do the provisions of the bill make it compulsory to have one of these stations in each State?

Mr. WILLIAMS of Illinois. Not necessarily so; I do not think that would be a wise provision. The representatives of the department said to the committee that there would be one or more in each State of the Union. Of course, they will have to be located at points where suitable locations can be secured and along the line of the travel of migratory birds.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. WILLIAMS of Illinois. I yield.

Mr. BRAND of Georgia. Is it mandatory that each State shall have one of these stations?

Mr. WILLIAMS of Illinois. No; as I said, however, that would be the practical result.

Mr. BRAND of Georgia. It leaves it discretionary as to whether we shall have one in Georgia or not?

Mr. WILLIAMS of Illinois. That will be left to the commission, which is composed of the Secretary of Agriculture, the Secretary of the Interior, two Senators, and two Representatives.

Mr. ASWELL. The location of the sanctuary would depend exclusively on the action of the legislature.

Mr. WILLIAMS of Illinois. Yes; before any sanctuary can be acquired the legislature of the State in which it is being acquired will have to give its consent in a legal way.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. WILLIAMS of Illinois. I yield.

Mr. COCHRAN of Missouri. I notice that the House committee has stricken out the Senate bill and substituted the new bill with similar language. Can the gentleman assure me that if the bill goes to conference it will not be rewritten and be brought back with the Senate bill in it?

Mr. WILLIAMS of Illinois. The bill that came over from the Senate was introduced by Senator NORBECK, of South Dakota. After it had passed the Senate, certain changes seemed to be desirable, which will be explained in the course of the debate. I understand that these changes are absolutely satisfactory to the sponsors of the bill in the Senate, and was told so by Senator NORBECK. We have now substituted the Andresen bill for the Norbeck bill and are considering it as an amendment to the Senate bill, and I am assured that if the bill passes the House there will be no trouble in conference.

One of the features in this bill which appeals to me is that we are adopting a fixed and definite policy for the conservation of the wild fowl of the country. It is a long-time program. It will be 10 years, probably, before all of the sites that are necessary or desirable can be acquired, but when this is done and when these sanctuaries have been established, they are forever inviolate to the wild fowl of the country.

Mr. HALE. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. HALE. To what extent, if any, does it require contribution of money by the States where locations are made?

Mr. WILLIAMS of Illinois. The States are not required to contribute in any way. This is a national policy, a national program for the conservation of the wild-fowl life of the United States, the necessary funds for which will come from the Federal Treasury.

Mr. LEAVITT. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. LEAVITT. In what way could an area that is already in the ownership of the United States, so that no purchase is required, be brought under the provisions of this bill? I refer to an area not in a national forest or in a water-power withdrawal.

Mr. WILLIAMS of Illinois. I think there is a provision here which will take care of that.

Mr. LEAVITT. I searched for that provision, and have not been able to satisfy my mind with regard to it.

Mr. WILLIAMS of Illinois. I do not understand that the commission would have the power to arbitrarily take over a preserve now owned by the Government and convert it to one of these refuges.

Mr. LEAVITT. The particular thing I have in mind is an area in Montana which has been part of a reclamation withdrawal, but action has been taken to release it. I have asked that it be withheld without restoration to entry with the idea that its greatest use is probably for a migratory bird refuge. I want to know how under the provisions of this bill an area of that kind, which would not require purchase, and which might be agreed to by the State, could be brought within this system.

Mr. WILLIAMS of Illinois. I think that could be done under the provisions of the bill. If the commission decided that it is a desirable location for one of these stations, and the Government already has title, it could be converted into a game preserve under the terms of this bill.

Mr. LEAVITT. And if there is any doubt about that, there would be no objection to an amendment to clarify it?

Mr. WILLIAMS of Illinois. I think not. I can not see where there would be. One of the big objections heretofore to a measure of this kind has been that they have all carried a

license provision whereby anyone who desires to shoot wild fowl would be required to take out a Federal license. It was the plan to finance the whole conservation scheme by a license levied on the individual citizens of the United States.

I think everyone who has given this problem, and it is a big problem, careful consideration has reached the conclusion that this is a great national problem. Whether we be sportsmen or not, we all know the inestimable value that the wild-fowl life has to agriculture and the forest interests of the country. The Committee on Agriculture of the House has unanimously reported this bill. As I said, I think it meets every valid objection that has heretofore been urged against the enactment of the conservation legislation and merits the support of the House. I think beyond doubt it has the support of the country more generally than any measure that has been presented here during my service in Congress.

Mr. IRWIN. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. IRWIN. I notice that the provisions of the bill apply to migratory birds.

Mr. WILLIAMS of Illinois. Yes.

Mr. IRWIN. The gentleman from Illinois a number of times used the term "wild game." This applies to migratory birds, and not to other game?

Mr. WILLIAMS of Illinois. It applies to migratory birds, and the fowl named in the bill are identical with those named in the treaty between the United States and Great Britain.

Mr. IRWIN. It does not apply to any other game?

Mr. WILLIAMS of Illinois. No; it applies only to the wild fowl named in the treaty between the United States and Great Britain in 1916 and in the act of 1918 putting into effect the provisions of that treaty.

Mr. BRAND of Georgia. Does this bill define migratory birds?

Mr. WILLIAMS of Illinois. Yes; it defines them as they are defined in the treaty between the United States and Great Britain negotiated in 1916.

I reserve the remainder of my time and yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Speaker, I will ask the gentleman for 10 minutes with permission to yield part of that time.

Mr. Speaker, the bills relating to this subject which have been before past Congresses have always been of such a nature as to render them, it seemed to me, fundamentally objectionable, and I have always, notwithstanding my deep sympathy with the principle of wild-life conservation, found myself unable to support those measures in the past, and, as some Members probably will recall, I have not only not supported them but have opposed with all the earnestness of which I was capable their passage in the House.

The license fee, which has been contained in the measures of the past, a provision to which I was opposed, that every hunter pay a Federal license, it seemed to me presented such an encroachment on the part of the Federal Government as that it would have created an irritation on the part of citizens that would have more than destroyed all the good that might come out of the other features of the bill. Fortunately the bill that is proposed now to consider has eliminated these objections of principle that have heretofore, to my mind, been insuperable, and I am very glad on account of my deep interest in this matter of conservation that a measure has been brought before the House to which I can give my support. [Applause.]

I yield whatever time may be remaining to me to the gentleman from Indiana [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Speaker, I have not been able to reach the conviction to support these bills which have had for their purpose the conservation of bird life that have come in previous Congresses, but this bill seems to have features that will preserve the wild life of America, and the objectionable features having been eliminated I feel that I can support this measure with sincerity. I was interested a few days ago in reading the account of the dedication of the sanctuary in Florida, at which the President made a dedicatory speech, not only on account of the singing tower, but the sanctuary for the preservation of bird life which surrounded it. I think it is a great lesson and that the words uttered by the President in that dedication expressed the sentiment of the people of America to preserve our wild life, because we all appreciate that many species are becoming extinct. The school children of America have long studied bird life and have been engaged in the making of bird boxes, and nearly every community has its bird club for the purpose of preserving and carrying out the very features this bill proposes to preserve with reference to wild life. Not only is there a sentiment connected with the preservation of bird life, but the study of it is recognized in the preservation

of bird life. There is the destruction of insects and the preservation of crops wrapped up in this subject, and I think the Federal Government does well to take a lead in a bill that is a bill of real conservation, not a bill, as former ones have been, that will preserve the bird life in certain restricted areas and then permit people to go in there and slay and kill, which does not mean a sanctuary.

That means a place where wild life is to be destroyed. If we are going to have preservation with the idea of permanence, then it would not do for a bill like this to preserve the wild life just part of the time and permit the destruction of it at other times, and this bill will also permit the Federal Government to help keep the treaty that we have made with the Dominion of Canada.

No State by its statutes can preserve the life of migratory birds, because State lines mean nothing in such a case. It must be a national policy. This bill satisfies the requirements of a national policy, and as a real conservation bill it will make these places a real sanctuary for the bird life of America, and I am glad to support the bill. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, there are no other requests for time on the bill on this side.

Mr. WILLIAMS of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Senate bill. Pending that, I suggest that the debate be limited to two hours, half the time to be controlled by the gentleman from Louisiana [Mr. ASWELL] and the other half by myself.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate bill 1271. Pending that, the gentleman asks unanimous consent that the time be equally controlled by himself and the gentleman from Louisiana, each to have control of one-half of the time. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Iowa.

The motion was agreed to.

The SPEAKER. The gentleman from Michigan [Mr. HOOPER] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1271, with Mr. HOOPER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 1271, which the Clerk will report.

The Clerk read as follows:

A bill (S. 1271) to more effectively meet the obligations of the United States under the migratory bird treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes, by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. Under the rule the debate is confined to two hours, to be equally divided between the gentleman from Iowa [Mr. HAUGEN] and the gentleman from Louisiana [Mr. ASWELL]. The gentleman from Iowa is recognized.

Mr. HAUGEN. Mr. Chairman, this bill is intended to meet more effectively the obligations of the United States under the migratory bird treaty with Great Britain. The Senate bill as it came to the House carried an appropriation of \$1,000,000 annually for an indefinite time. The bill has been amended in accordance with suggestions made by the Department of Agriculture. As amended it carries \$75,000 for the first year, \$200,000 for the second year, and \$600,000 for the third year, and annually \$1,000,000 for seven years thereafter. It limits expenditures and maintenance of the reservation to 20 per cent of the amount appropriated for the first 10 years, and after that \$200,000 a year.

As has been stated, a commission is created to be known as the migratory bird conservation commission, consisting of the

Secretaries of the Departments of Agriculture, Interior, and Commerce, and two Members of the Senate, to be selected by the President of the Senate, and two Members of the House, to be selected by the Speaker, to consider and pass upon any project within the meaning of the act, recommended by the Secretary of Agriculture for purchase or rental, and to fix the price, and provides that no purchase or rental shall be made of any such area until it has been duly approved for purchase or rental by said commission.

By section 5 of the bill the Secretary of Agriculture is authorized to purchase or rent such areas as have been approved for purchase or rental, at the price fixed by the commission, and to acquire by gift, and so forth, of areas he shall determine to be suitable.

Particular attention has been given to the question of safeguarding the rights of the States in connection with the establishment of sanctuaries. Section 2 makes the chief game official of each State or his representative or the governor of the State having no game department or his representative, a member of the commission for the purpose of considering and voting on all questions relating to acquisition of areas under the act in his State for sanctuary purposes. Section 7 provides that no area may be acquired in a State until after the State has consented by law to such acquisition. Section 8 reserves to the State jurisdiction both civil and criminal over persons upon areas acquired by the Government. Section 9 specifies that the act is not intended to interfere with the operation of the game laws of the several States, and section 17 provides that when a State shall by suitable legislation make provision for the enforcement of the Federal law and regulation on the sanctuaries it may cooperate with the Secretary of Agriculture in such enforcement.

Section 2 is amended, as stated in the letter of the Secretary of Agriculture, by striking out the words "Postmaster General" and inserting in lieu thereof the "Secretary of the Interior." The previous bill carried the licensing feature, under the cognizance of the Postmaster General. The elimination of the license feature from the bill makes the object of the legislation foreign to the interests of the Post Office Department. The Secretary of the Interior is suggested as a member of the commission in view of his responsibilities in connection with the administration of public lands.

According to present information of the department, at least 125 sanctuaries are required, one or more in each State of the Union and several in the Territory of Alaska.

Unless suitable water and marsh areas are maintained for our waterfowl for breeding and feeding grounds, these migratory birds will gradually disappear, regardless of further restrictions on hunting. Hence immediate action is vitally important.

The Secretary is not authorized to purchase or rent until it is so recommended by the commission.

Mr. Chairman, under leave to extend my remarks, I desire to append a letter from the Chief of the Biological Survey, under date of January 21, 1929, setting forth its program for the establishment of the necessary sanctuaries along the migration routes:

JANUARY 21, 1929.

Hon. GILBERT N. HAUGEN,

Chairman Committee on Agriculture,
House of Representatives.

DEAR MR. HAUGEN: Supplementing my remarks of this morning and at the request of your committee, I submit for its consideration the following program of expenditures under the Norbeck bill (S. 1271) to establish inviolate sanctuaries for migratory birds.

As suggested in the report of this department on the measure under date of January 11, 1929, the \$75,000 proposed for the first year's expenses would be used in making a comprehensive survey of the most desirable sanctuary sites throughout the United States, and in developing a clear-cut, businesslike program for the establishment of the necessary sanctuaries along the migration routes.

The biological and physical characteristics of the various sites will be studied from the standpoint of their desirability as sanctuaries and breeding, feeding, and resting places for migratory birds, and information will be gathered on which to establish the value of the areas in question as a basis for estimating their cost. This would not only include the value of the land itself but the improvements and developments necessary to establish satisfactory sanctuaries in the various localities.

Although the department has had no funds available to make thorough field examinations in order to determine just where the Federal migratory bird sanctuaries should be established, a preliminary report has been prepared by members of the Biological Survey based upon information in its files and the conclusion reached that Federal sanctuaries are needed in at least 125 concentration areas. The list includes one or more sanctuaries in each State of the Union, as shown on the attached map, and several in the Territory of Alaska. As a result of the investi-

gations to be made during the first year, it will be determined whether these locations fit in with the program of the department for permanent sanctuaries and what additional sites should be included.

During the second year the department will proceed to secure options and acquire lands needed for the Federal sanctuaries. Practically all of the estimated amount of \$200,000 will be expended in accordance with the present plans of the department on the acquisition of lands found by the investigations made during the first year to be needed for sanctuary purposes, and which have been approved for acquisition by the commission. It is not planned to expend any of this \$200,000 in the administration of sanctuaries during this year.

During the third year under the \$600,000 appropriation we estimate that we will use 95 per cent for the acquisition of additional lands, including the construction of necessary improvements, such as dikes, ditches, dams, etc., and approximately 5 per cent for administering the areas already acquired. Subsequently and until a sufficient number of sanctuaries have been obtained to provide for the welfare of the migratory birds, it is the present plan of the department to use each year approximately 80 to 85 per cent in acquisition and improvements and not to exceed 15 to 20 per cent for the employment of protectors to administer and patrol the sanctuaries.

Definite information is lacking as to the prices at which all the desirable lands are held. Figures have been obtained, however, with respect to a limited number of areas which would indicate that land suitable for Federal sanctuaries could in many instances be secured at an average price of not to exceed \$5 per acre. The department proposes in all cases to proceed in a businesslike manner to obtain the land at the lowest possible price. In any event, no lands can be obtained under the bill except those that have been approved for purchase at prices fixed by the commission, consisting of three members of the Cabinet, two members of the House of Representatives, and two Senators.

Sincerely yours,

PAUL G. REDINGTON, *Chief.*

Mr. GARBER. Mr. Chairman, will the gentleman yield there?

Mr. HAUGEN. Certainly.

Mr. GARBER. Are the representatives to be selected with regard to equal representation throughout the country?

Mr. HAUGEN. Two Members of the Senate are to be appointed by the President of the Senate and two Members of the House by the Speaker of the House.

Mr. GARBER. Does not the gentleman think that a fair representation throughout the country would be more satisfactory to the people, if some suggestion were made in the bill regarding the appointments?

Mr. HAUGEN. I assume that those making the appointments will take that into consideration.

Mr. COLE of Iowa. How are you going to distribute two Members of the House and two Members of the Senate all over the country?

Mr. HAUGEN. There is no hard-and-fast rule of distribution, but I assume the suggestion that they be appointed with due regard to representation would be sufficient.

Mr. COLE of Iowa. I do not see how you could get representation of all parts of the country in the appointment of two men from the House and Senate.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield? I want to ask the gentleman from Iowa a question.

Mr. HAUGEN. Yes.

Mr. ABERNETHY. Does this bill put any tax on the hunter?

Mr. HAUGEN. Not at all. The license feature has been eliminated from the bill.

Mr. ABERNETHY. You do not allow hunting on these sanctuaries?

Mr. HAUGEN. Not at all.

Mr. GARBER. Mr. Chairman, will the gentleman yield to another question?

Mr. HAUGEN. Yes.

Mr. GARBER. What does it do with reference to the jurisdiction over violations? They still maintain jurisdiction over all violations of the sanctuary?

Mr. HAUGEN. Yes; both civil and criminal.

Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. ANDRESEN].

The CHAIRMAN. The gentleman from Minnesota is recognized for 15 minutes.

Mr. ANDRESEN. Mr. Chairman and members of the committee, during the past 25 years a great deal has been said and done regarding the conservation of our natural resources. Federal and State laws have brought about the establishment of national and State forestry park areas for the conservation of our timber supply. The educational program for tree planting, scientific utilization of timber products, and protection of forest areas, is a step in the right direction which will assure future generations of adequate timber supplies, if properly continued.

Legislation has been enacted, though wholly inadequate, for the conservation of our water power, development of inland waterways, and general protection of the Nation's untold wealth in minerals, oils, and other natural resources. This program should be extended so that our God-given natural resources may be properly used and conserved for the benefit of all the people.

Many large areas of land, sparsely timbered, particularly in northern Minnesota, Wisconsin, and Michigan, unproductive for agricultural purposes, but abundant in beauty and wild life, rushing streams and deep, clear lakes filled with gamey fish, should be set aside as the Nation's playground. To have these areas desecrated by the ruthless advance of industry would be a travesty upon the American people. This, the "last stand" of wildernesses in the Middle West, should be left in its original wild state and consecrated as a sanctuary for the sport-loving people of this country.

Federal and State Governments are carrying out programs for the conservation and propagation of fish and other game, with varying success. During the past 10 years the supply of game fish in streams has been greatly diminished, due principally to pollution of the waters by sewage and inadequate enforcement of game laws. Unless action is promptly taken to remedy these existing evils, fishing will no longer be a sport for the rank and file but will be a pastime for those with means who are able to travel long distances into the wilderness of this country and Canada. No time should be lost in conserving the fish of the country in their natural and usual habitat.

The bill now under consideration, Senate 1271, with the companion measure, H. R. 16525, commonly known as the Norbeck-Andresen game refuge bill, deals with the conservation of migratory birds. It is a necessary measure and should be enacted into law during the present session of Congress. The act fixes a national policy for conservation of migratory birds to more effectively meet the obligations of the United States under the migratory-bird treaty with Great Britain.

At the present time there are but few areas set aside as sanctuaries for migratory birds in the United States, and as a consequence during both open and closed season hundreds of thousands of birds are annually slaughtered for the lack of a safe resting and feeding haven.

The program proposed by this bill ultimately contemplates the establishment of permanent sanctuaries for migratory birds in every State in the Union and Alaska. Areas where birds may nest, feed, and rest without being molested by hunters. Inviolate sanctuaries. It has for its aim the preservation of ducks, geese, song birds, and insectivorous birds for future generations, as well as an assurance of a liberal supply of the migratory birds which may be legally taken for the hunters of to-day.

In order that the Members of the House may know as to the number of migratory birds covered by the treaty with Great Britain, I quote from Article I of the treaty, which was approved on December 8, 1916, by the representatives of the two Governments:

ARTICLE I

The high contracting powers declare that the migratory birds included in the terms of this convention shall be as follows:

1. Migratory game birds:
 - (a) Anatidae or waterfowl, including brant, wild ducks, geese, and swans.
 - (b) Gruidae or cranes, including little brown, sandhill, and whooping cranes.
 - (c) Rallidae or rails, including coots, gallinules, and sora and other rails.
 - (d) Limicolae or shorebirds, including avocets, curlew, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs.
 - (e) Columbidae or pigeons, including doves and wild pigeons.
2. Migratory insectivorous birds: Bobolinks, catbirds, chickadees, cuckoos, flickers, flycatchers, grosbeaks, humming birds, kinglets, martins, meadowlarks, nighthawks or bull-bats, nut-hatches, orioles, robins, shrikes, swallows, swifts, tanagers, titmice, thrushes, vireos, warblers, wax-wings, whippoorwills, woodpeckers, and wrens, and all other perching birds which feed entirely or chiefly on insects.
3. Other migratory nongame birds: Auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murrelets, petrels, puffins, shearwaters, and terns.

Such birds as the bobolinks, catbirds, humming birds, martins, meadowlarks, orioles, robins, wrens, woodpeckers, and many others are migratory birds. They live chiefly on insects and annually save the farmers of this country hundreds of millions of dollars in preventing destruction of crops by insects. The sanctuaries established under this bill will be havens for these

industrious and valuable creatures. Increasing the number of insectivorous birds in America will be of enormous financial benefit to agriculture, as well as added pleasure to the American people.

One of the most detailed estimates of the extent of damage inflicted by insects in the United States is that compiled by C. L. Metcalf and presented in the fifty-fifth annual report of the Entomological Society of Ontario in 1924. At that time the aggregate damage to staple field crops, vegetable crops, fruit, greenhouse products, livestock, as well as damage and losses brought about by insect-borne diseases, was placed at \$1,590,044,500.

This figure would be increased materially were it not for a number of factors that tend to reduce the numbers and control the activities of insect pests. Conspicuous among these agencies is the work done by beneficial insectivorous birds. An estimate of the value of this service has been made on the basis of a total bird population of the country. Bird enumerations have established the fact that two birds per acre is a fair estimate, at least for the eastern half of the United States. On parts of this area many more are present, making up in part at least for the admittedly smaller number of birds in some of the arid sections of the West. On this basis it is probable that there are 3,800,000,000 breeding birds in the United States. On their northward and return journeys additional migrating birds spend a portion of each year in this country. It has been estimated that this augmentation of our insect-eating birds is approximately a third of the resident population. We can assume, therefore, that there are at our service fully 4,500,000,000; the size of this feathered army is beyond real conception since each individual in it may destroy a hundred or even many hundreds of insects daily. How enormously difficult to realize is the total destruction of the insects and other animals taken up in their food! If we are to place the value of the annual services of these birds at the insignificantly low figure of 10 cents a piece, the American public would realize annually a saving of approximately \$450,000,000.

This estimate, of course, is an abstract one; but many local instances have come to light where the good services of birds are glaringly apparent, and in those areas the value of these feathered aids can not be doubted. A classical instance of the beneficial work effected by birds was that performed during outbreaks of the Rocky Mountain locust in the pioneer days of Utah. To-day a monument stands in Salt Lake City in commemoration of those valued services. Even in later years the Salt Lake Valley has experienced conspicuous work of insectivorous birds. More than 45 species were known to feed on the alfalfa weevil only a comparatively short time after it was introduced. In the South 66 species were known to feed on the cotton boll weevil, 98 prey on cutworms, 120 on leaf hoppers, and 168 on wire worms, all destructive pests of agriculture.

For the past six years or more the subject of conservation of migratory birds has been up for discussion before Congress and the conservationists of the country. In the past there has been more or less disagreement amongst the organizations as to the proper plan of conservation. I am now, however, happy to announce that all of the leading conservation organizations of the country are in thorough accord and most enthusiastically endorse and urge the passage of Senate bill 1271 as amended by the House Committee on Agriculture.

The National Committee on Wild Life Legislation, officially representing all of the leading wild-life conservation organizations in this country, has rendered a distinct service to the people of America in its unselfish effort to secure the passage of this legislation. The officers of the committee—Dr. T. Gilbert Pearson, of the National Association of Audubon Societies, as chairman; Carlos Avery, of the American Game Protective Association, as vice chairman; Seth E. Gordon, of the Izaak Walton League of America, as secretary; and the other members of the committee—deserve special mention for their untiring work in behalf of the conservation of migratory birds. These men are here to-day to witness the realization of a long-cherished dream.

The American Game Protective Association; the Izaak Walton League of America; the International Association of Game; the Western Association of Game, Fish, and Conservation Commissioners; the National Association of Audubon Societies; the American Forestry Association; the Gopher Campfire Club, of Hutchinson, Minn.; General Federation of Women's Clubs; and other organizations and individuals are now unitedly for this bill as amended, and have given most valuable aid in bringing about national interest for the conservation of migratory birds as set forth in this bill.

Senate bill 1271, as amended, has the approval of the President, the Director of the Budget, and the Secretary of Agriculture.

The bill, as amended, clearly defines and establishes a definite policy of the Government for the conservation and protection of migratory birds. Areas of land and land and water will be acquired for inviolate sanctuaries for migratory birds in every State and in Alaska.

Section 2 provides for the creation of the migratory bird conservation commission, consisting of the Secretary of Agriculture as chairman, the Secretary of Commerce, the Secretary of the Interior, two Members of the Senate, appointed by the Vice President, and two Members of the House of Representatives, appointed by the Speaker. The ranking officer of the State in which the refuge is located shall be a member ex officio of the commission, having the right to vote on all questions relating to the acquisition of areas in his State. The commission will have charge of selecting areas and establishing sanctuaries, and will serve without pay.

The administration of the act is placed in the hands of the Secretary of Agriculture and provides for joint cooperation with the States in the enforcement of its provisions.

The bill provides for no license fee and is financed out of the Treasury, as follows: Seventy-five thousand dollars for 1930, \$200,000 for 1931, \$600,000 for 1932, and \$1,000,000 a year thereafter for seven years, after which time \$200,000 is provided annually for the administration of the refuges.

The bill specifically provides that not more than 20 per cent of each annual authorization shall be used in the administration of the sanctuaries, leaving a balance of 80 per cent for acquisition of areas of land and land and water for inviolate sanctuaries, during the 10-year program.

To make it clear: There will be no license fee and no public shooting grounds under the provisions of the bill. The areas secured will be inviolate permanent sanctuaries for migratory birds. There will be cooperation as to enforcement and selection of sanctuaries by the State and Federal Government. Enabling legislation on the part of the State will be necessary before a sanctuary is established and acquired by the Federal Government.

The areas acquired under this act will serve a threefold purpose. First, sanctuaries for migratory birds; second, spawning and feeding grounds for fish, as well as ideal fishing grounds; and third, places for propagation of fur-bearing animals, such as beaver, mink, muskrat, and so forth.

Members of the House, this bill should receive your unanimous approval, and it is my sincere hope that it will, in its amended form, be approved by the Senate, become a law, and be recognized as the outstanding achievement for conservation of the Seventieth Congress. [Applause.]

Mr. NEWTON. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. NEWTON. The committee struck out everything after the enacting clause in the Senate bill. Some time ago I received a number of communications suggesting that the House pass the bill substantially as the Senate sent it over, but, as I understand, the committee has made some very substantial improvements in the bill as it came over.

Mr. ANDRESEN. That is correct.

Mr. NEWTON. And that now the very organizations which originally favored the bill as it came over are behind the bill as it has been reported to the House?

Mr. ANDRESEN. That is correct. Some of the amendments made in the bill were of minor character. The Postmaster General was designated in the Senate bill as a member of the commission originally. The idea was that the Postmaster General, through the post offices, should collect the license fee, but with the license fee eliminated from the bill we thought it better to have the Secretary of the Interior, who has control of the public lands, on the commission in preference to the Postmaster General. Another change made in the bill was as to the amount of money authorized. The Senate bill provided for an annual appropriation of \$1,000,000. Upon investigation we found that during the first three years the department would be unable to spend that amount of money, so instead of providing for \$1,000,000, we changed the amount to \$75,000 for the first year, \$200,000 the second year, and \$600,000 the third year.

Mr. NEWTON. This illustrates that in the indorsement of any given proposition people would do better to indorse the general principles embodied in a bill rather than to attempt to write the detailed text of the bill.

Mr. ANDRESEN. I think the gentleman is correct.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. COLE of Iowa. Can the gentleman give us any idea as to how large these areas will be ultimately?

Mr. ANDRESEN. Well, areas should be established all over the United States as far as the appropriations go, and that program, as I understand it, will be carried out by the Biological

Survey. The Biological Survey will first make an investigation as to proper places to be designated as such areas.

Mr. COLE of Iowa. In other words, how large should an area be to serve as a game preserve?

Mr. ANDRESEN. We now have an area, known as the upper Mississippi wild-life refuge area, where the program ultimately contemplates the acquisition of 165,000 acres of land and water at a total cost of some one million and a half dollars. However, that is a large area and it will not be necessary to have as large areas as that under this bill.

Mr. COLE of Iowa. But it will be necessary to have quite large areas in order to serve these purposes?

Mr. ANDRESEN. Oh, that is true; they should be large enough so as to serve the purposes and they should also be in the line of flight, where the birds generally fly, and where there are proper feeding and nesting grounds for migratory birds. That will all be taken into consideration in connection with the investigation.

Mr. ALMON. Will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. ALMON. The gentleman stated that certain enabling legislation or action on the part of the States would be necessary before any sanctuaries could be established in a State. Will the gentleman briefly explain what will be necessary on the part of the respective States?

Mr. ANDRESEN. It will be necessary for the State legislatures to pass enabling legislation so that the Federal Government may take over and buy the land. The governor of a State, or the administrative officer in charge of game and fish enforcement, will sit on the commission to provide for the locations within a particular State.

Mr. LEAVITT. Will the gentleman yield?

Mr. ANDRESEN. I yield to the gentleman from Montana.

Mr. LEAVITT. I asked a previous speaker under the rule a question that I should like also to put to the author of the bill.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. LEAVITT. I have not been sure in reading the bill whether it provides for a situation such as this, that there is a suitable area which belongs to the Federal Government now and which is a natural feeding ground for migratory birds. It could be made a part of this system if the Secretary of the Interior were authorized to transfer it to the Secretary of Agriculture for the purposes of the act, but I have not been sure whether in this act there is authority that would allow the Secretary of the Interior to make such a transfer.

Mr. ANDRESEN. In answer to the gentleman I might say that at the present time there are approximately 80 different kinds of sanctuaries in the country, virtually all of which have been transferred by Executive order, and I believe that under the circumstances the gentleman mentions an Executive order could be issued.

Mr. LEAVITT. There is no question but that an Executive order could be issued, but there is a question whether the Secretary of the Interior, who is to be a member of this commission, could make such a transfer without a presidential order.

Mr. ANDRESEN. I do not believe he could.

Mr. LEAVITT. Would it not be better, since this commission is authorized to acquire other lands by purchase, to authorize the Secretary of the Interior to make such a transfer without the delay of an Executive order?

Mr. ANDRESEN. I do not believe so, for the reason that in some of the smaller States, where there are large national-forest areas, it might be inadvisable.

Mr. LEAVITT. Those areas, of course, are exempted under the bill. What I have in mind, to be specific, is this: Within the last few months a situation has developed in Montana with respect to an area that for many years was withdrawn as a part of a reclamation project for reservoir purposes. This area naturally would be a fine wild bird sanctuary, and the question is now up as to what is to be done with these lands. I have asked the Secretary of the Interior not to restore these lands to public entry so that they can be dissipated under the homestead law or otherwise while this matter is being worked out, and I had rather hoped that this bill would authorize the Secretary, without very much machinery, to include them in this system, if the authority created in this bill should determine that that is their wisest use. I have drawn this amendment for discussion, but I do not intend to offer it if it is not entirely satisfactory to the committee, since I desire the bill to pass speedily.

Add a new section—section 20:

"The Secretary of the Interior is hereby authorized to transfer to the jurisdiction of the Secretary of Agriculture for all of the purposes of

this act any areas of public land determined by the agencies herein to be suitable therefor, except such areas as are specifically exempted in this act."

This, of course, would still exempt national-forest areas or areas under water-power withdrawal except under an agreement with the States, and would not include anything except a little easier machinery for building up this system of sanctuaries by including areas that we now own and would not have to buy.

Mr. ANDRESEN. I do not believe the gentleman's amendment would do any harm, but I think as long as a commission is created to pass upon the location of the land and the designation of sanctuaries it would probably be well to leave it within their discretion as to securing an Executive order rather than to give the power to the Secretary of the Interior to transfer that land.

Mr. LEAVITT. This is simply removing one step of the difficulties.

Mr. ANDRESEN. We generally have Presidents who are in sympathy with conservation.

Mr. DENISON and Mr. LAGUARDIA rose.

Mr. DENISON. I would like to ask the gentleman from Minnesota, if he will be kind enough to yield, a question about section 7. This bill, of course, is to establish a national policy and is in pursuance of a treaty with another government and proposes to establish national game refuges, and yet section 7 provides that no land shall be acquired in any State for a game refuge without the consent of the State.

If it is a matter of wise national policy to establish a game refuge why should not the Federal Government establish one in a State without the special permission of the State? What is the theory back of that provision in the bill?

Mr. ANDRESEN. The theory of that is that we might go into an individual county or section of a State where a great deal of the land—

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. ANDRESEN. Where a great deal of the land might be acquired by the Federal Government either under condemnation or by purchase which would take away from the county taxable lands and might create considerable difficulty. I know of counties in Minnesota where we would have that situation, and we feel that as long as the governor sits in as a member of the commission designating the area, that if the State is interested in conservation, we will not have any trouble about getting the areas.

Mr. DENISON. It seems to me if it is of sufficient national importance that the Federal Government should acquire land and establish game refuges and that it is of importance it should be done in a certain State, the Federal Government ought to have the right to do so, whether the State wants it done or not. I can not understand why this should be made subject to the approval of the State.

And may I ask the gentleman, while he has the floor, whether or not the States will have the right to tax this land?

Mr. ANDRESEN. No; the land will be owned by the Government unless it is leased.

Mr. DENISON. Of course, section 8 of the bill gives the State civil and criminal jurisdiction over it.

Mr. ANDRESEN. If the gentleman is reading section 8 of the committee amendment—

Mr. DENISON. I am reading section 8 of the committee amendment and I did not know whether that was broad enough to include the right to tax or not.

Mr. ANDRESEN. No; it is tax-exempt property.

Mr. DENISON. I would like to ask the gentleman one more question. Section 9 provides—

that nothing in this act is intended to interfere with the operation of the game laws of the several States.

So if we establish a game refuge in a particular State and if the laws of that State permit men to go on that land and hunt and destroy the birds, they can do it?

Mr. ANDRESEN. No; they can not do that, because the State law has to comply with the Federal law and if the State law is out of line the State will have to change its law.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. ASWELL. Mr. Chairman, the Department of Agriculture reports that 75 per cent of all the migratory fowl in the United States and in Canada spend their winters in the sanctuaries in the southern portion of the State of Louisiana.

This bill proposes to establish resting and feeding grounds for these migratory fowl as they fly from the north to the southern sacred sanctuaries each winter and back in the spring. All of

us in that section are vitally interested in such a measure as the one proposed here.

Since the bill has been changed, the Federal license having been stricken from it and the other objectionable features removed, I have no information that there is any opposition in this Chamber to the measure. There certainly is none in the committee. There is no opposition on the floor and yet we are to discuss it for a short time.

I now yield 10 minutes to the gentleman from Kentucky [Mr. KINCHELOE].

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, as you know, in 1916, the Government of the United States and the Government of Canada entered into a treaty for the protection of migratory birds. Shortly thereafter Congress passed an enabling act in order to protect and uphold that treaty. That act has not been sufficient for the protection of migratory birds.

Ever since I have been a member of the Agricultural Committee there has been an effort to pass some kind of a migratory bird law that would give protection to the wild-fowl life of this country and Canada; but there has always been a division in the committee and on the floor of the House when the committee reported any bill of that character. It met with opposition, and as a result there has been no legislation.

Here is a bill reported by the committee that has met the approval of every member of that committee. I have tried to study these bills since I have been a member of the committee because I am one who is absolutely interested in the protection of the wild fowl of this country and Canada. I think this is the greatest conservation measure, without any exception, that has been presented to the Congress of the United States since I have been a member of the committee.

The two major objections to the bill heretofore reported to this House were: First, the license feature, compelling every man who hunted migratory birds to procure a Federal license from his post office, and that fund to finance the buying of preserves for these wild fowl. The second was—and this was my major objection—that it gave to the Secretary of Agriculture the discretion to open these sanctuaries at intervals and let the big hunters of the country come in and have a good time, when the poor fellow at home paid a dollar for his license and did not have time nor money to go into the preserve.

Now, these two features have been eliminated by this bill. This is a representative bill; it is a democratic bill; it coordinates with State authority in the enforcement of it. First and foremost, it creates a commission composed of the Secretary of Agriculture, the Secretary of the Interior, the Secretary of Commerce, and two Members of the House, appointed by the Speaker, two Members of the Senate, appointed by the Vice President, and one representative, either at the head of a game department of the State, if the State has one, and, if not, the governor of the State, who shall be a member of this commission, with as much power as any other member of the commission on the question of buying preserves within their respective States.

It also provides that the States shall have the right to enforce any game laws so long as they do not conflict with the Federal game laws in the preserves or sanctuaries.

The biological survey of the Department of Agriculture has already given years of study to this proposition, looking to the day when Congress might pass a bill for real conservation of wild fowl life in this country and Canada. In their letter they say that they have all agreed that there are as many as 125 game preserves, and that they are so distributed that at least every State in the Union will have one. Therefore, if this bill is passed there will be 125 of these preserves.

Mr. ALMON. And each State will have at least one?

Mr. KINCHELOE. Each State will have at least one, but I do not care about that feature, because you have got to have land of a certain topographical nature in order to have the propagation of the game.

Mr. WILLIAM E. HULL. A State would not want a preserve if they had no use for one. In other words, no State would request one if they had no use for it.

Mr. KINCHELOE. Absolutely; and that is the reason for putting in that provision in order to establish a preserve the State has to agree to it. If they did not want it they need not have it.

If they do want it, we want them to come in wholeheartedly, and with all of their local forces, game wardens, and others, helping to preserve the wild fowl of America. When you have as many as 125 game preserves throughout this country made inviolate sanctuaries, so that a gun is never fired in them for any purpose, you are going to preserve the wild fowl life of this country and Canada. It does not make any difference how many million ducks, or geese, or other migratory birds go from

the North to the South in the wintertime and back again later on, unless you have some place in transit for those birds to rest and feed and nest it will not be very far in the future when you will have no wild fowl life either in this country or in the Dominion of Canada.

To me the passage of a bill like this is not only a benefit to the wild-fowl life of the country, but it is for the common weal, it is of good to everyone. The marshlands in the United States are being very rapidly, and I think distressingly so, cleared up for agricultural purposes, when there are millions of acres of agricultural lands in the country not now under cultivation. Why should not those marshlands be preserved? Why is there not conservation policy in that? If we establish these sanctuaries inviolate there will not be any trouble about the propagation of game. The wild ducks and the wild geese and the other migratory birds that make the round trip each way will find more quickly than anything else where there is a gun fired. There will be no trouble if these preserves are established under this bill, because these birds will know in a very little while where to go where no gun is ever fired. I do not know whether any of you other gentlemen have had the experience or not, but I have driven around the Speedway here in duck season and I have seen from two to five hundred wild ducks right out here in the river.

Mr. FENN. And they are there to-day.

Mr. KINCHELOE. Yes; they are there to-day; and they are there because they know if they go a little farther down the river a gun will be fired at them.

Then the bill provides for cooperation in the enforcement of the law by the various States. That I think is absolutely necessary. You can not enforce any law without the support of the local government and the sentiment of that government in favor of enforcement. If these sanctuaries are established, we say that the State must take affirmative action and say that it will cooperate, and will pass an enabling act so that we can take the territory, and we will not take any territory in any State in the Union unless that State consents to it. It is a cooperative measure not only in the acquisition of these preserves, but in the enforcement of the State laws.

In the original bill we provided for an appropriation of a million dollars a year. In this bill we start with \$75,000 for the first year for the purpose of making these surveys, and then the sum increases each year up to a million dollars in 1933, and remains at a million dollars a year until 1939, it being the opinion, of course, that in that time they will have been able to purchase all of the preserves that are necessary. After the preserves are obtained, it is the opinion of the Agricultural Department that it will take only a sum of \$200,000 a year as operating expenses in order to enforce the law in every game preserve in the United States.

If we pass the bill to-day and it goes to the Senate, we have the assurance that it will enact the bill as it is. If we pass this bill to-day, I believe that posterity will rise and call us more blessed for this vote than for any vote that has been cast here in years. [Applause.]

Mr. ASWELL. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. Mr. Chairman, it is interesting to observe the transformation in the sentiment of the game associations of America with respect to this legislation as we read of their approvals of this bill. The record will show that I have been opposed to legislation on this subject as embraced in former bills. I have never opposed legislation for the preservation of game. I yield to no Member of the House in my sincerity and ardor for the preservation of game. I heretofore opposed the bills because they were not for the preservation of game, but for the establishment of public hunting grounds, public shooting grounds, thereby inexorably establishing reservations for the destruction of game and not for the preservation of game. Moreover, I did not think Congress had authority to enact such legislation, unless we did it in pursuance of our treaty with Canada, and that treaty does not provide for or contemplate public hunting grounds.

That treaty affords no basis for the passage of any measure for the destruction of game, but is a basis only for the preservation of game. I have been in receipt of some very caustic letters by reason of my attitude on these bills. I am happy to say that the authors of some of these letters and criticisms are to-day supporting this bill, based upon the identical ground which I have always heretofore taken—that the Congress has a right to legislate for the preservation of game and not for the destruction of game, no matter how the language may have been camouflaged.

I have pleasure in supporting this particular bill. It meets my views and convictions. I have on former occasions stated on this floor that I would support any reasonable bill for pres-

ervation of game, for sanctuaries for birds if the provisions for the establishment of public hunting or shooting reservations and Federal licenses were eliminated. I congratulate the committee that this elimination has been made in the pending bill, and that I am now enabled to vote my approval of a game-preservation measure.

I think we are now free of the vice which has impaired if not destroyed the merits of all former bills upon this subject, and that we have now open to us a clear way for the preservation of the migratory birds of America.

Mr. ASWELL. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES. Mr. Chairman, ladies, and gentlemen of the House. In 1916 the United States of America and the United Kingdom of Great Britain and Ireland entered into a treaty (treaty series No. 628), as shown in Senate Document 348. That treaty was to last for a period of 15 years. The names of more than 70 kinds of wild life are listed in this treaty. Twenty-nine different varieties of those birds are birds that eat insects and therefore are valuable both to production and to life. This treaty was signed by both countries and became effective on December 8, 1916.

Its terms provide for an operative period of 15 years. At the end of those 15 years, which will be 1931, if neither of the countries give 12 months' notice of their desire to be relieved of the provisions of the treaty it would be automatically extended for a period of 1 year, and thereafter from year to year until such notice may be given. Thus, so long as the two countries are satisfied with the provisions of the treaty it will automatically remain effective. If anyone desires to read or look up the names of the birds referred to here he will find it on page 2646—

Mr. JOHNSON of Texas. Will the gentleman put those in his speech?

Mr. JONES. I will put the reference in the speech, and any gentleman desiring to do so can get Senate Document 628, which contains the full text of the treaty. I want to emphasize the point made by the gentleman from Virginia [Mr. MONTAGUE]. The provisions of that treaty state that its purpose is for the preservation of these useful birds, and to prevent their indiscriminate slaughter. The first bill, over which we had such a fight in the House and which had both the licensing fee and the provision for public shooting grounds, purported to be a measure for the carrying out of this treaty, and yet even the most casual reading of that bill disclosed the fact that it was not essentially for the preservation of the birds, but its primary purpose was to furnish a slaughtering ground for professional hunters of the country, who, under its terms, could follow the birds from place to place until in their helplessness they would be driven frantic with fear and, of course, ultimately destroyed. But this bill in accordance with the terms of the treaty is a pure sanctuary bill. It will not in any way interfere with legitimate hunting. It is in the interest of the true sportsman, for it furnishes a haven of refuge for the wild life of the country, without in any way interfering with such shooting as the treaty permits outside the limits of the sanctuaries.

The purpose of the treaty is stated in terms as follows:

Being desirous of saving from indiscriminate slaughter and of insuring the preservation of such migratory birds as are either useful to man or harmless, the contracting parties have resolved to adopt some uniform system of protection which shall effectively accomplish such object, and to the end of concluding a convention for this purpose have appointed as their respective plenipotentiaries—

And so forth.

That states the purpose of the treaty, which treaty is signed by the two contracting governments.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. JONES. I will.

Mr. JOHNSON of Texas. Under this bill hunting will not be permitted on the game reserve.

Mr. JONES. No; hunting on the game preserves under no circumstances will be allowed under the terms of this bill. The first bill provided not only for public shooting grounds but also gave the privilege, at certain periods of the year, of entering the sanctuary itself for purposes of shooting. But in this bill those features have been eliminated.

The CHAIRMAN. The gentleman is recognized for two additional minutes.

Mr. JONES. It also forbade any man hunting on his own premises if he did not have the dollar license, which he would have to go to the post office and get, even if he shot only one time in the year.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JONES. Certainly.

Mr. MOORE of Virginia. I understand the gentleman makes the point that the measure we had here before was not really in line with the purposes of the treaty?

Mr. JONES. Yes.

Mr. MOORE of Virginia. One more question: Has the gentleman any information to show the results as to the multiplying of these birds under legislation heretofore enacted under the treaty?

Mr. JONES. If the gentleman will secure the hearings that were had a year ago, he will find that they set out the full information gained by the Department of Agriculture on that point.

Mr. MOORE of Virginia. It is contained in the report?

Mr. JONES. Yes; in the report of the Secretary of Agriculture.

This bill eliminates the license feature and the shooting-ground feature. There will be places in the future, if this measure passes, where birds going south will enter these sanctuaries and will be there protected against all character of hunting. It will be impossible then to destroy the wild life of this country. As a matter of fact, the number and value of the wild life of this country are inconceivable.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. ASWELL. I yield to the gentleman two additional minutes.

Mr. WILLIAM E. HULL. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes; I yield to the gentleman from Illinois.

Mr. WILLIAM E. HULL. I want to ask a question. Of course, I favor this bill. The gentleman from Texas made a remark a little while ago that a man could not hunt on his own premises.

Mr. JONES. That was under the original bill. That is, he could not hunt on the premises unless he actually lived on the specific ground and had less than 160 acres. If he had a tract across the road he could not hunt on it. But this measure corrects that.

Mr. WILLIAM E. HULL. During the shooting season this will not interfere with a man hunting on his own preserves?

Mr. JONES. No. I was speaking of the original bill. This bill before us now carries out the original treaty, both in letter and spirit, between this country and Great Britain as negotiated in 1916; and I believe that with the provisions of this bill properly carried out, that treaty will continue to be a friendly treaty relationship between our country and the British Empire, and especially the Dominion of Canada, probably for an indefinite period.

Mr. GARBER. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. GARBER. Is there anything in this bill that will prevent a private gun club from shooting on its own grounds?

Mr. JONES. There is nothing in the bill covering that. Of course, such shooting would be limited by the treaty. Shooting would only be allowed in season.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. COOPER of Wisconsin. Ought there not to be a proviso in the bill to the effect that no reservation shall be located within a State that does not provide for that?

Mr. JONES. I think that would be a wise provision. I think, however, that probably will be taken care of in the regulations.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. ASWELL. Mr. Chairman, no further time is requested on this side.

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. KETCHAM.]

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes.

Mr. KETCHAM. Mr. Chairman and members of the committee, I recognize, of course, that there is no concerted opposition to this bill, and therefore I do not purpose to take the time of the committee for any extended observations. But I thought that just a word or two by way of recollection of the debate heretofore might be of interest.

By a peculiar coincidence this measure has been before the House three different times in the month of February. The first time it was reported in the House was in February, 1923. I think you will recall the interest that was shown in that debate. The three principal features to which the fire was directed in the bill, as has already been indicated, were the licensing feature, the public shooting grounds, and the unusual control by the Federal Government. I want to set out just in a

sentence or two, to indicate the trend of the debate, the remarks made by a few Members of the House at that time.

These will only be selected sentences. In the first place, may I quote one sentence in the argument made in opposition to the 1923 form of the bill by the minority leader, the gentleman from Tennessee [Mr. GARRETT], who favors the present bill? Said he, speaking of the friends of the bill:

They fail to appreciate the fact that this is but enhancing Federal power, taking another step toward adding to the restlessness and discontent of the average citizen with the Federal Government.

I think that fairly well indicates the attitude of the gentleman from Tennessee and many of those who voted against the bill at that time.

Mr. Mondell, the majority floor leader at that time, was also opposed to the bill, and I think you will be interested in one sentence from his remarks. He said:

Mr. Chairman, I have tried to make it plain that my opposition to this legislation is because it is an extraordinary extension of Federal police power without any sound reason or excuse for such extension.

I want to refer just a moment to an expression from conservative New England. Mr. TREADWAY, of Massachusetts, said:

I think it is a very poor bill, and I wish my colleagues on the Republican side were as cordial in their indorsement of that statement as my Democratic friends are; but this is not a political matter, gentlemen. It is purely a question whether or not we are going to get down to brass tacks on the question of controlling everything in sight from a Federal Government center. I am opposed to that principle.

Governor MONTAGUE, of Virginia, has already set out his own views on the present bill, but I think as a matter of history it might be well to read one sentence from his remarks on that first bill. Said Governor MONTAGUE:

Mr. Chairman, if this were a bill for the protection of game I would vote for it cheerfully. If it were to set aside a sanctuary or refuge for these birds I would vote for it. But these are mere incidents in the bill.

Mr. ASWELL. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. ASWELL. The gentleman means to refer to the remarks on the former bill and not this bill?

Mr. KETCHAM. I thought that was clear.

Mr. ASWELL. I wanted that made clear.

Mr. KETCHAM. These, of course, are remarks made in connection with the debate on the first bill that was presented. It may interest the committee to know something about the details of the vote taken on these other occasions. On the first form of the bill as presented to the House the test vote was upon a motion to strike out the enacting clause. That prevailed by a vote of 154 to 135. Subsequently the matter was brought to the attention of the House a second time under a special rule, in February, 1925, and in the form of the bill then reported a very sincere effort was made to correct many of the things complained of in the first form. So successful was the Committee on Agriculture in this effort that the bill passed the House at that time by a vote of 212 to 113.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. KETCHAM. I have found by checking the RECORD that 29 different gentlemen of the House who cast their votes in opposition to the first form of the bill voted for it upon its second presentation to the House.

Now, in the present form of the bill I think everything that has been complained of by the opponents of the bill has been met, and so far as I am aware and so far as the hearings before the committee indicate there is no opposition offered to it, and I sincerely trust that this perfected form of the bill will meet with the overwhelming approval of the House, with the understanding that if it goes to the Senate there will be a general agreement in conference and the bill in the form as we now present it, which I believe by far is the best form, will finally be enacted into law and a great forward step taken in this tremendous problem of conservation. It certainly is a pleasure to note that the present bill meets the hearty approval of the three gentlemen mentioned now in the House who so strongly opposed it in 1921.

Mr. GREEN. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. GREEN. As I understand, the bill does not carry a license fee?

Mr. KETCHAM. It does not carry a license fee. The bill also eliminates the other very objectionable shooting-grounds

provision to which attention was called. It goes further, and, I think, works out as satisfactorily as it can be worked out this vexing question of Federal and State authority with reference to control.

Mr. GREEN. I may say to the gentleman that I have received a large number of telegrams and even more letters in support of the bill and none opposing it. Therefore I am supporting the bill.

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Chairman and gentlemen of the committee, while, as has been indicated, when this bill was before the House on previous occasions there was a great deal of opposition to it, that opposition, I think, was always to the form of the bill and not to its purpose. It has been stated that by the provisions of this bill the Government embarks upon a new policy. It does not, however, do that in a broad sense. This Government has recognized for many years its obligation to conserve our wild life and to maintain refuges for our migratory birds. However, until the present time there has been no definite constructive policy in this regard. We have, I think, at the present time, some 65 or 70 bird refuges, but all of those have been acquired piecemeal and not as a result of any definite plan.

The result has been that they are not, perhaps, as useful or well located as they might otherwise be. Under this plan the Secretary of Agriculture and other members of the board will have an opportunity to make a survey of the entire country and determine the proper locations of these refuges. There are a good many things to be taken into consideration in determining these locations. Migratory birds, as you all know, have certain well-defined routes of flight and these refuges will have to be located on those routes. They will also have to be located with reference to the habits of the birds and the availability of food supplies. Their location must also be determined with reference to whether they are going to be used as feeding grounds, as nesting grounds, or resting grounds, in the course of a flight.

The Biological Survey, I am informed, has already made quite an extensive survey of the country for this purpose and they say that at the present time they have in mind at least 125 sites which it would be possible to use as migratory-bird refuges. Heretofore they have never had an appropriation which was sufficient to allow them to make a proper and thorough investigation.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. HOPE. I will.

Mr. BLACK of Texas. This act, as I read it, is intended to supplant the former migratory bird act?

Mr. HOPE. It is.

Mr. BLACK of Texas. I have not seen anything in the act which repeals that law or any part of the law that is in conflict with this act.

Mr. HOPE. In reply to that, I will say that perhaps I misunderstood the gentleman when I said it was expected to supplant any former act. It is not expected to take the place of any former act, but it does supplant former bills which have been before this Congress but which have never been enacted into law.

Mr. BLACK of Texas. The former migratory bird bill passed by the House was not enacted by the Senate. Is that the situation? I understand we passed it in the House.

Mr. WILLIAMS of Illinois. Yes; in 1918 we passed the migratory bird act, but this in no way repeals that act but deals with the whole subject in a practical manner. All this bill does is to provide sanctuary for these birds.

Mr. BLACK of Texas. This is just to dovetail into the other act. The other act provides for a licensing fee, as I understand.

Mr. ANDRESEN. No; I will say to the gentleman there is no license fee now charged by the Federal Government for the shooting of migratory birds and there is no law on that subject. As the gentleman stated, the purpose of this bill is to dovetail into the other act and make it a part of the general scheme of protection of migratory birds.

Mr. BLACK of Texas. I do not want to further take the time of the gentleman from Kansas. His explanation makes entirely clear to me the purpose and scope of the pending bill.

Mr. HOPE. This measure, I may say, is purely supplemental to all of our previous laws either creating game refuges or for the protection of migratory birds generally. It does not attempt to repeal or modify any of our present laws on that subject.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. HOPE. I was telling of some of the work that the Biological Survey has already done in connection with establishing these refuges. It has not only made a survey for the purpose of determining where these refuges should be located, but there have been, as Members of Congress know, a number of refuges established within recent years and since the migratory bird treaty was consummated in 1916. One of these is the Upper Mississippi Refuge, another is the Bear River Marsh Refuge out in Utah; but never until the proposal of this measure have we had a definite, comprehensive program for the establishment of these sanctuaries.

Canada has far outstripped us in establishing bird sanctuaries. At the present time Canada has some 1,700 square miles which is either inviolate sanctuaries or a combination of sanctuaries and public shooting grounds. One thousand square miles of the total areas comprises inviolate sanctuaries and the remaining 700 square miles of course is a sanctuary during most of the year, although shooting is permitted during certain seasons.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption there?

Mr. HOPE. Yes.

Mr. COOPER of Wisconsin. Did I understand the gentleman to say that Canada has reservations that are in part sanctuaries and in part public shooting grounds?

Mr. HOPE. My understanding is they have a total of 1,700 square miles of bird refuges and about 1,000 square miles of the area is a year-round sanctuary, but shooting is permitted on about 700 square miles of this area of refuges; that is, there are 40 of these sanctuaries which are inviolate the year round and there are 51 upon which shooting is permitted during certain seasons of the year.

Mr. DENISON. Will the gentleman yield for a question?

Mr. HOPE. I yield.

Mr. DENISON. Is it the intention of those who have originated this legislation to make these sanctuaries inviolate or to permit shooting on them?

Mr. HOPE. It is the intention of this bill, I will say to the gentleman from Illinois, to make these sanctuaries inviolate.

Mr. DENISON. But the bill does not do that.

Mr. HOPE. Yes; the bill does do that.

Mr. DENISON. The bill provides that the game laws of the States shall apply, and under the laws of the States they can go in there and hunt.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman two more minutes.

Mr. DENISON. Section 9 of the bill reads as follows:

That nothing in this act is intended to interfere with the operation of the game laws of the several States applying to migratory game birds in so far as they do not permit what is forbidden by Federal law.

There is no Federal law preventing or prohibiting such shooting.

Mr. HOPE. This bill provides in other sections that the sanctuaries shall be inviolate.

Mr. DENISON. Then, what does the section mean that says the State game laws shall apply? What State game laws will apply?

Mr. HOPE. I take it that simply means this proposed act does not apply to State game laws as far as they affect the States outside of these sanctuaries.

Mr. DENISON. It does not say that.

Mr. ANDRESEN. Will the gentleman yield?

Mr. HOPE. I yield.

Mr. ANDRESEN. I may say to the gentleman from Illinois that before the sanctuaries may be established in any State it will be necessary to have enabling legislation within that State, and that enabling legislation will provide that these areas shall be inviolate sanctuaries.

Mr. DENISON. How do we know that others will not be established?

Mr. HOPE. Mr. Chairman, I do not believe there is any doubt that under the provisions of the bill, taken as a whole, there can be established nothing but inviolate sanctuaries. If that is not clear in the bill it ought to be, but I am satisfied, so far as I am concerned, that that is included in the bill. [Applause.]

Mr. DENISON. That may be true, but I can not understand the necessity for section 9, which provides that nothing in the act shall interfere with the State game laws. I wish some Member of the House who is familiar with the terms of the bill will explain that to the House.

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. WILLIAM E. HULL].

Mr. WILLIAM E. HULL. Mr. Chairman, the migratory bird act protects migratory game birds from the dangers threatened by drainage, and other causes, by acquisition of areas of land and of water to furnish in perpetuity reservations for adequate protection of such birds.

This act, in my judgment, is one that will perpetuate the hunting for future generations more than any bill that could be passed in Congress.

Civilization and cultivation of lands and drainage of lands have taken away from large areas in the United States the sport and hunting that has existed for many years and has eliminated the opportunity of those who enjoy outdoor life, and especially hunting, to such an extent that it makes it necessary now for those that may desire to hunt to either build or cooperate with those who do build hunting preserves, thus eliminating at least 95 per cent of the population who might have opportunities if this bill is voted through the Congress of the United States and becomes a law.

I favor it for many reasons. The young boy, either from the city or the country, should have opportunities of knowing what wild life is in this country. The opportunities that were given to the earlier generations have passed and there is no way that hunting can be preserved better than by passing a migratory bird act which will establish reservations for their protection and game laws which will protect the migratory bird from destruction during the period of hatching and raising of the young birds.

I am well acquainted with a section of the country known as the Illinois-Mississippi Valley which is probably the best hunting section for migratory birds of any part of the country. Unless provisions are made for the protection and conservation of the North American birds, it will only be a few years until they will be extinct.

I favor this bill as a whole and I hope every Member of Congress will vote for it. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield two minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Chairman, as confirming what has been said by the gentleman from Illinois [Mr. WILLIAM E. HULL], I want to read a telegram from a man who resides in my district and who has, I think, done as much by his personal effort in the interest of wild life in Canada and this country as any other citizen of the United States. He is Dr. William T. Hornaday, for many years the head of the Zoological Park in New York. He has traveled extensively in this and other countries and has an international reputation as an expert and writer on wild life. Both by his writings and his influence he has greatly aided legislation such as this bill contains. The telegram is as follows:

STAMFORD, CONN., February 8, 1929.

Hon. SCHUYLER MERRITT,

House of Representatives:

On behalf of progressive conservation, I beg you to oppose all amendments that may be offered to the Andresen-Norbeck bill as unnecessary and dangerous. As it stands, the bill is perfect, and with both the birds and the sanctuaries it is a case of now or never.

WILLIAM T. HORNADAY.

Mr. HAUGEN. Mr. Chairman, I have no other requests for time.

Mr. AYRES. I have not.

The CHAIRMAN. General debate is exhausted, and the Clerk will read the bill. Without objection, the Clerk will read the committee amendment in lieu of the bill.

There was no objection.

The Clerk read the committee amendment.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule the committee automatically rises and reports the bill to the House.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that, pursuant to the rule, the committee had had under consideration the bill (S. 1271) for the protection of migratory game birds, and reported the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill. The question was taken; and on a division (demanded by Mr. AYRES) there were 219 ayes and 0 noes.

On motion of Mr. HAUGEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EXTENSION OF REMARKS ON THE BILL

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill just passed. Is there objection?

There was no objection.

SANCTUARIES FOR THE PROTECTION OF MIGRATORY BIRDS

Mr. MORROW. Mr. Speaker, under leave granted Members of Congress to extend their remarks in the RECORD I desire to avail myself of that opportunity and to express my thought upon the bill establishing a sanctuary to protect migratory birds. The measure as amended and passed by the House provides a real refuge for the protection and conservation of bird life.

Bird life has been ruthlessly slaughtered by both wanton selfishness and careless attention to this species of fowl which means so much to the food life of man. The bird not only means a food supply but the habits of the bird provide destruction of enemies to crop and vegetable life.

Nature intended that in the orderly carrying out of its laws in a systematic manner all animal life should exist; some for food of other animals; some to destroy insects and other species of life which menace plant, vegetable, and timber life; all being important elements in the food growth for the success and life of the people.

Under the provisions of the bill, land and water can be acquired over a period of 10 years; sanctuaries are created in all of the States desiring to come within the provisions of the act, such States cooperating with the Federal Government in the enforcement of the law.

In my opinion, such cooperation between States and Federal Government is most important, because to make a law fully effective its provisions should be fully appreciated in each State and such provisions should be strictly observed in conformity with the act.

The bill offers hope to the sportsman who believes in protecting wild life not only for the pleasure and recreation he will procure in the hunt during the proper hunting season, but also because the measure means the curtailing of destructive waste.

Actual protection is offered bird life in its necessary flight from one locality to another; a resting and nesting home where the bird is at least temporarily safe is provided.

The bill as passed provides \$75,000 the first year, \$200,000 the second year, \$600,000 the third year, and \$1,000,000 annually for each year thereafter for a period of seven years. This expenditure, if handled properly and systematically, can increase the species of wild-bird life enormously, and the provisions are extended to all the States upon a successful cooperative plan.

Under the provisions of the measure, the Secretary of the Interior is made a member of the Migratory Bird Conservatory Commission. This is a very proper feature because remaining public land, Indian reservations, national parks, national monuments, and other Government reservations of land and water are under the supervision of this Government department. The Secretary of Agriculture should also be added to the commission; his department having under control the national forests of our country. The forests should be the home of much of our bird life; there the birds can rest and raise their young; in a broader sense of the word "sanctuary," the forests should be closed completely to the hunter. Only hunting for the destruction of predatory animals should be allowed in the forests.

Other principal features of the bill are explained in an article which appeared in the Sunday Star, February 10, 1929, and which is entitled "House Passes Bill Protecting Birds," and from which I quote:

OTHER FACTORS INVOLVED

Secretary Jardine of the Department of Agriculture emphasizes that the acquisition of areas suitable for refuges, although primarily intended to increase the numbers of wild fowl, really involve a number of other important factors of definite advantage to the public. It is a serious mistake, he said, to believe that all drainage of water or marsh areas is a public benefit, because actual experience has shown in numerous instances that drainage has resulted in the destruction of water areas which have very profitable uses, and have left instead land of little or no agricultural value.

Under proper conditions, Secretary Jardine points out, many lakes, ponds, swamps, and marsh areas will yield distinctly larger returns financially and otherwise than would the same areas drained for agricultural purposes. The development and utilization of all available products of such areas is termed "water farming."

In addition to the returns that water and swamp areas may yield in wild fowl, many other benefits may result along the following lines:

First. A valuable supply of food and game fish.

Second. Their annual return in furs from such animals as beavers, muskrats, skunks, and raccoons, which frequent them.

Third. Their production in certain areas of grasses, valuable for forage, or for the manufacture of grass rugs and other commodities, which have developed a profitable industry; also in suitable areas, the production of willow suitable for basketry, wicker furniture, and other purposes.

Fourth. A natural ice supply.

Fifth. Definite help they afford in maintaining the underground water level, which is essential for the production of forests and other vegetation, and for subirrigation of hay and other agricultural lands.

Sixth. Their invaluable function in holding back the run-off of flood waters, and in assisting to prevent excessive erosion and other flood damages. The systematic drainage of shallow lakes and swamp areas along drainage ways will greatly increase the danger of floods and the destruction of life and property. The effect of too extensive drainage deserves careful attention in view of its direct relation to the public welfare.

Seven. Many of the more attractive of such water areas lend themselves admirably to educational uses and assist in interesting the people in outdoor recreation and in the natural resources of plant and animal life, which are so important in supplying commodities, such areas in effect constituting outdoor laboratories for important and varied scientific investigations.

The quotation, in my opinion, is worthy of publicity in showing the greater benefits to be derived from the enactment of the legislation. In the main this class of legislation is wholesome, constructive, and in the interest of all the people. It shows no personal interest in the protection and propagation of game for the few; rather, a very broad view is taken to protect a form of life which adds much to man's food supply and also much in the protection and healthy growth of vegetable and timber life.

The State which I have the honor to represent, New Mexico, has a great variety of bird life, and a real effort is being made to protect this form of life by sanctuaries as proposed by the legislation in question.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 5066. An act extending the times for commencing and completing the construction of a bridge across the St. Francis River at or near St. Francis, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 5194. An act authorizing Richard H. Klein, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Susquehanna River at or near the borough of Liverpool, Perry County, Pa.; to the Committee on Interstate and Foreign Commerce.

S. 5378. An act authorizing the Fayette City Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near Fayette City, Fayette County, Pa.; to the Committee on Interstate and Foreign Commerce.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 14919. An act granting the consent of Congress to the commissioners of Mahoning County, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Cedar Street, Youngstown, Mahoning County, Ohio;

H. R. 15072. An act to extend the times for commencing and completing the reconstruction of the bridge across the Grand Calumet River at Burnham Avenue, in Cook County, Ill.;

H. R. 15084. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River, at or near Reedsdale Street, in the city of Pittsburgh, Allegheny County, Pa.;

H. R. 15269. An act to extend the times for commencing and completing the construction of a bridge across the Red River at or near Coushatta, La.;

H. R. 15427. An act authorizing and directing the Secretary of War to lend to the Governor of North Carolina 300 pyramidal tents, complete; 9,000 blankets, olive drab, No. 4; 5,000 pillow

cases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; and 9,000 bed sheets to be used at the encampment of the United Confederate Veterans, to be held at Charlotte, N. C., in June, 1929;

H. R. 15470. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a free highway bridge across the Cumberland River in the vicinity of Harts Ferry, Trusdale County, Tenn.;

H. R. 13484. An act authorizing preliminary examinations of sundry streams with the view to the control of their floods, and for other purposes;

H. R. 13502. An act authorizing the State of Minnesota and the State of Wisconsin to construct, maintain, and operate a free highway bridge across the St. Croix River at or near Stillwater, Minn.;

H. R. 14146. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a free highway bridge across the Monongahela River, in the city of Pittsburgh, Allegheny County, Pa.;

H. R. 14164. An act granting the consent of Congress to the city of Knoxville, Tenn., to construct, maintain, and operate a free highway bridge across the Tennessee River, at or near Henley Street, in Knoxville, Knox County, Tenn.;

H. R. 14451. An act to revise and reenact the act entitled "An act granting the consent of Congress to the County of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River, at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania";

H. R. 14460. An act authorizing the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River, at or near Sioux City, Iowa;

H. R. 14469. An act granting the consent of Congress to the County of Allegheny, Pa., to construct a bridge across the Youghiogheny River between the Borough of Versailles and the village of Boston, in the Township of Elizabeth, Allegheny County, Pa.; and

H. R. 14481. An act granting the consent of Congress to the Chicago South Shore & South Bend Railroad, to construct, maintain, and operate a railroad bridge across the Grand Calumet River, at East Chicago, Ind.

NORTHERN PACIFIC LAND GRANT

Mr. MICHENER. Mr. Speaker, by direction of the Committee on Rules I call up House Joint Resolution 398, to extend the period of time in which the Secretary of the Interior shall withhold his approval of the adjustment of Northern Pacific land grants, and for other purposes, which I send to the desk and ask to have read.

The Clerk read as follows:

Joint resolution (H. J. Res. 398) to extend the period of time in which the Secretary of the Interior shall withhold his approval of the adjustment of Northern Pacific land grants, and for other purposes

Resolved, etc., That the first section of the joint resolution entitled "Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes," approved June 5, 1924, as amended by joint resolutions approved March 3, 1927, and May 28, 1928, is amended by striking out "June 30, 1929" wherever it appears and inserting in lieu thereof "June 30, 1930."

SEC. 2. The present members of the joint committee created by section 3 of such joint resolution approved June 5, 1924, as amended, if reelected to the Seventy-first Congress, shall continue to serve, notwithstanding the expiration of the Seventieth Congress, until the end of the first regular session of the Seventy-first Congress, at which time such joint committee shall cease to exist. In case a vacancy occurs in such joint committee by reason of the retirement from Congress on March 4, 1929, of any Member of the House of Representatives, the Speaker of the House of Representatives shall, before the expiration of the Seventieth Congress, appoint a Member of the House to fill such vacancy.

Mr. MICHENER. Mr. Speaker, this resolution states its purpose. It was introduced by the gentleman from Utah [Mr. COLTON], chairman of the Committee on the Public Lands. If there are any questions about the resolution, I should be glad to yield to the gentleman to explain. If not, and there is no desire for debate, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the joint resolution was passed was laid on the table.

CELEBRATION OF CANALIZING THE OHIO RIVER

Mr. PURNELL. Mr. Speaker, by the direction of the Committee on Rules I ask unanimous consent for the present consideration of House Concurrent Resolution 51, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the House Concurrent Resolution 51, which the Clerk will report.

The Clerk read as follows:

House Concurrent Resolution 51

Whereas the completion of the canalizing of the Ohio River from Pittsburgh, Pa., to Cairo, Ill., represents an achievement of great importance in the development of the inland waterways of the United States; and

Whereas the Congress of the United States has by legislation contributed to the realization of this project; and

Whereas a celebration commemorating the accomplishment of the great improvement is to be held October 15 to 20, 1929, at which officials of the United States and of the States adjoining the Ohio River will attend; and

Whereas it is fitting that the Congress of the United States be represented at such celebration: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That a committee consisting of three Members of the Senate to be appointed by the President of the Senate and three Members of the House of Representatives to be appointed by the Speaker of the House of Representatives shall represent the Congress of the United States at the celebration of the completion of the canalizing of the Ohio River from Pittsburgh, Pa., to Cairo, Ill., to be held October 15 to 20, 1929. The members of such committee shall be paid their actual expenses, one-half out of the contingent fund of the Senate and one-half out of the contingent fund of the House of Representatives.

The SPEAKER. Is there objection?

Mr. MAPES. Mr. Speaker, reserving the right to object, I notice that the report of the Committee on Rules states that this is a privileged report from the Committee on Rules. The gentleman from Indiana asks unanimous consent to have it considered. Of course, it is not a privileged report. If it were privileged, unanimous consent would not be necessary to get it considered. I am wondering whether the gentleman from Indiana concedes that it is not.

Mr. SNELL. He does, or he would not have asked unanimous consent.

Mr. PURNELL. Mr. Speaker, evidently it was so regarded, otherwise I would not have submitted a request for unanimous consent for its consideration.

Mr. MAPES. The committee evidently did not so regard it when it made the report, because it stated in its report that it was a privileged report from the Committee on Rules.

Mr. SNELL. Mr. Speaker, I think perhaps I am the one who is in error in that respect. We did understand that this is not a privileged report, but I had consulted with the gentleman from Massachusetts [Mr. UNDERHILL], the chairman of the Committee on Accounts, and this was such a small matter that we thought we would put it all through in one resolution and that there would be no objection to it at this time.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, I particularly request the attention of the gentleman from New York [Mr. SNELL] and the gentleman from Connecticut [Mr. TILSON]. I rise to say a word or two concerning the matter that has just been discussed in the colloquy between the gentleman from Michigan [Mr. MAPES] and the gentleman from Indiana [Mr. PURNELL]. It is true that there is a precedent holding that a concurrent resolution very similar to the one presented by the gentleman from Indiana is not privileged. That is a decision made by Mr. Speaker Clark, though I do not now remember the date of it. I have had occasion recently to examine it. It is my opinion that upon a more complete examination than was then given to that question, upon a fuller reasoning, some occupant of the chair in the future will probably feel constrained to overrule that precedent.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. I can see no real distinction, so far as reasoning is concerned, between the privilege of a concurrent resolution creating a joint committee, and a simple

House resolution creating a House committee. I yield to the gentleman from Michigan.

Mr. MAPES. Mr. Speaker, it seems to me that this resolution is not privileged for two reasons. One is based upon the precedent of Mr. Speaker Clark that it does not relate to matters pertaining to the rules, joint rules, or order of business; and, further, it makes an appropriation out of the contingent fund of the House, over which the Committee on Accounts has exclusive jurisdiction.

Mr. GARRETT of Tennessee. There is no question about that latter part destroying the privileged character of the resolution, but—

Mr. MAPES. For the two reasons that resolution is not privileged.

Mr. GARRETT of Tennessee. Yes. I did not have that latter part in mind. Of course, that precedent is well fixed and grounded in reason, but what I had in mind was holding it non-privileged simply because it is to create or initiate a joint committee, which may eventually prove more important.

Mr. MAPES. Of course, that point is not being argued now, and the gentleman is merely stating his own opinion about it.

Mr. GARRETT of Tennessee. Of course that is so.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. WAINWRIGHT, for Monday, February 11, on account of urgent business.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 2 o'clock and 26 minutes p. m.) the House adjourned until Monday, February 11, 1929, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, February 11, 1929, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON WAYS AND MEANS

(10 a. m. and 2 p. m.)

Tariff hearings as follows:

SCHEDULES

Silk and silk goods, February 11, 12.
Papers and books, February 13, 14.
Sundries, February 15, 18, 19.

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Second deficiency appropriation bill.

COMMITTEE ON THE DISTRICT OF COLUMBIA—SUBCOMMITTEE ON PARKS AND PLAYGROUNDS

(10.30 a. m.)

Authorizing the acquisition of land in the District of Columbia and the construction thereon of two modern, high-temperature incinerators for the destruction of combustible refuse (H. R. 16700).

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 1

(10 a. m.)

Authorizing the Commissioner of Prohibition to pay for information concerning violations of the narcotic laws of the United States (H. R. 16874).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

815. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the United States Tariff Commission for the fiscal year 1929 in the amount of \$4,000, and a draft of proposed legislation increasing the limitation of \$562,470 for personal services in the District of Columbia contained in the independent offices appropriation act for the fiscal year 1929 to \$629,000 (H. Doc. No. 568); to the Committee on Appropriations and ordered to be printed.

816. A letter from the secretary of National Institute of Arts and Letters, transmitting report of its activities during the year 1928; to the Committee on the Library.

817. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the War Department for the fiscal year ending June 30, 1929, for Fort Donelson National Military Park, Tenn., amounting to \$45,000 (H. Doc. No. 569); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. SNELL: Committee on Rules. H. Res. 312. A resolution providing for the consideration of S. J. Res. 182, a joint resolution for the relief of farmers in the storm and flood stricken areas of southeastern United States; without amendment (Rept. No. 2446). Referred to the House Calendar.

Mr. GRAHAM: Committee on the Judiciary. S. 3590. An act to amend section 110 of the Judicial Code; with an amendment (Rept. No. 2448). Referred to the House Calendar.

Mr. KELLY: Committee on the Post Office and Post Roads. S. 3281. An act to provide a shorter workday on Saturday for postal employees; without amendment (Rept. No. 2449). Referred to the Committee of the Whole House on the state of the Union.

Mr. KIESS: Committee on Insular Affairs. H. R. 16877. A bill providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands; without amendment (Rept. No. 2450). Referred to the Committee of the Whole House on the state of the Union.

Mr. KIESS: Committee on Insular Affairs. S. J. Res. 110. A joint resolution to provide for annexing certain islands of the Samoan group to the United States, and for other purposes; without amendment (Rept. No. 2451). Referred to the Committee of the Whole House on the state of the Union.

Mr. KIESS: Committee on Insular Affairs. H. R. 16881. A bill to approve, ratify, and confirm an act of the Philippine Legislature entitled "An act amending the corporation law, Act No. 1459, as amended, and for other purposes," enacted November 8, 1928, approved by the Governor General of the Philippine Islands December 3, 1928; without amendment (Rept. No. 2452). Referred to the House Calendar.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 16305. A bill for the relief of present and former postmasters and acting postmasters, and for other purposes; with an amendment (Rept. No. 2453). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 17003) authorizing the Secretary of the Interior to exchange certain lands to Charles Beecher Scott; to the Committee on the Public Lands.

By Mr. GREGORY: A bill (H. R. 17004) to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Eggners Ferry, Ky.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 17005) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Canton, Ky.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 17006) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 17007) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Hickman, Ky.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 17008) to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: A bill (H. R. 17009) to authorize appropriations for expenses of military tribunals, retiring boards, boards of investigation, and for other purposes; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 17010) to amend the merchant marine act of 1928; to the Committee on the Merchant Marine and Fisheries.

By Mr. LARSEN: A bill (H. R. 17011) to increase the penalties provided for violations of certain antitrust laws; to the Committee on the Judiciary.

Also, a bill (H. R. 17012) to provide for an increased penalty in the case of violations of certain antitrust laws by directors, officers, or agents; to the Committee on the Judiciary.

By Mr. ROBSON of Kentucky: A bill (H. R. 17013) to erect a monument, tablets, and markers to mark the battles at Cumberland Gap and as memorials to the Federal and Confederate soldiers who were killed there, and for other purposes; to the Committee on Military Affairs.

By Mr. SNELL: A resolution (H. Res. 312) providing for the consideration of S. J. Res. 182, for the relief of farmers in the storm and flood stricken areas of southeastern United States; to the Committee on Rules.

By Mr. BLACK of New York: Resolution (H. Res. 313) requesting information from the Federal Reserve Board; to the Committee on Banking and Currency.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. JOHNSON of Indiana: Memorial of the General Assembly of the State of Indiana, requesting the Congress of the United States to appropriate funds for the establishment of a United States Veterans' Bureau general hospital within the State of Indiana for honorably discharged ex-service men of that area; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 17014) granting an increase of pension to Alice M. Durant; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 17015) granting an increase of pension to Laura G. Chipman; to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 17016) granting an increase of pension to Candace J. Carr; to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 17017) to authorize the President to present the distinguished flying cross to Capt. Benjamin Mendez; to the Committee on Military Affairs.

By Mr. LEA: A bill (H. R. 17018) for the relief of Ernst Lueger; to the Committee on Claims.

By Mr. ROMJUE: A bill (H. R. 17019) granting a pension to Fannie Valentine; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9961. By Mr. ARENTZ: Resolutions adopted at the tenth annual meeting of the Nevada State Farm Bureau, January 23, 1929; to the Committee on Ways and Means.

9962. By Mr. BLOOM: Petition of New York State League of Fish, Game, and Forest Clubs, urging enactment of legislation that will convey outright or for nominal consideration the tract of land located at Camp Upton, Long Island, to the government of New York State in the conservation department, to be developed into a fish and game refuge of great value to future generations through the system now operative under the New York State Conservation Commission; to the Committee on Agriculture.

9963. By Mr. CARTER: Petition of the California Development Association, urging the passage of legislation providing the Department of Agriculture with a sufficient appropriation to prosecute investigations on poultry problems; to the Committee on Agriculture.

9964. Also, petition of the California Development Association, urging an appropriation for the United States Department of Agriculture of at least \$10,000 per annum to employ and equip entomologists to study the lima pod borer, wireworm, and other insects which affect the bean plant; to the Committee on Agriculture.

9965. By Mr. CRAIL: Petition of Martin Music Co., Los Angeles, Calif., opposing House bill 13452, which provides for an increase of copyright royalties on phonograph records; to the Committee on Patents.

9966. Also, petition of Orange County Council, American Legion, Anaheim, Calif., urging additional hospital facilities for southern California; to the Committee on World War Veterans' Legislation.

9967. Also, petition of Santa Ana Chamber of Commerce, Santa Ana, Calif., urging additional hospital facilities for California; to the Committee on World War Veterans' Legislation.

9968. Also, petition of Isaak Walton League of America, Los Angeles Chapter, No. 11, in support of the Norbeck game refuge bill; to the Committee on Agriculture.

9969. By Mr. CRAMTON: Petition of 44 members of the First Baptist Church, Bad Axe, Mich.; 53 members of the Methodist Episcopal Church of district including Pinnebog, Chandler, and Caseville, Mich.; 19 members of the Evangelical Church of Greenwood Township, Mich.; 44 members of the Emanuel Evangelical Church, of Brown City, Mich.; 69 mem-

bers of the Kilmanagh Evangelical Church, of Kilmanagh, Mich.; 53 members of the Elkton Methodist Episcopal Church, Elkton, Mich.; 75 members of the First Methodist Episcopal Church, Lapeer, Mich.; and 22 members of the Evangelical Church, Sebewaing, Mich., urging favorable action on the Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

9970. By Mr. CURRY: Petition of residents of the third California district, protesting against the enactment of the Lankford Sunday bill for the District of Columbia; to the Committee on the District of Columbia.

9971. By Mr. DAVENPORT: Petition of 188 signed members of the Walcott Memorial Church, New York Mills, N. Y., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9972. Also, petition of members of the Methodist Episcopal Church, New York Mills, N. Y., representing 250, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9973. Also, petition of 88 members of the Salem Welsh Congregational Church, New York Mills, N. Y., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9974. By Mr. EVANS of California: Petition of 29 citizens of the Monte Vista Grove Presbyterian Ministerial Homes, Pasadena, Calif., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9975. By Mr. GARBER: Petition of chamber of commerce, Enid, Okla., in support of House bill 16346; to the Committee on Ways and Means.

9976. Also, petition of the board of directors of the National Knitted Outerwear Association, urging a general tariff revision at the earliest possible date; to the Committee on Ways and Means.

9977. Also, petition of the Chamber of Commerce of the United States of America, in support of House bill 450; to the Committee on Military Affairs.

9978. By Mr. HARRISON: Petition of seven citizens of Woodstock, Va., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9979. By Mr. HAWLEY: Petition of 63 citizens of Newberg and vicinity, Oreg., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9980. By Mr. HOWARD of Nebraska: Petition submitted by Amelia Glasner, of Clarkson, Nebr., and 39 others, protesting against any change in the tariff on hides and leather used in the manufacture of shoes; to the Committee on Ways and Means.

9981. By Mr. JOHNSON of Texas: Petition of Robert F. Riley, cashier of the First National Bank of Teague, Tex., favoring a tariff on hides, canned meats, and jute; to the Committee on Ways and Means.

9982. By Mr. KADING: Petition of 125 members of the First Presbyterian Church, Lodi, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9983. Also, petition of 300 members of Reformed Church, Sheboygan, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9984. Also, petition of 364 members of Reformed R. C. A. Church, Sheboygan, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9985. Also, petition of 200 members of the Presbyterian Church, Kilbourn, Wis., urging the enactment of legislation to

protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9986. Also, petition of 150 members of Christian Reformed Church, Ostburg, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9987. By Mr. LAMPERT: Petition of the Woman's Christian Temperance Union (85 members), of Ripon, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9988. Also, petition of 101 members of the Salem Presbyterian Church, Oshkosh, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9989. Also, joint resolution of the Wisconsin Legislature, relating to more adequate protection for the farmers of this State who grow sugar beets; to the Committee on Ways and Means.

9990. Also, petition of 800 members of the Christ Lutheran Church, Oshkosh, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9991. By Mr. LANKFORD: Petition of 71 members of Methodist Church, Brenton and New Paris, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9992. Also, petition of 39 members of United Brethren Church, Warsaw, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9993. Also, petition of the Kiwanis Club of Warsaw, Ind.; the Warsaw Reading Club, 40 active members; and seven citizens of Warsaw, endorsing the Lankford Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

9994. Also, petition of the pastor and 700 members of the Hanes Institutional Church, Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9995. Also, petition of the pastor and 95 members of the Mount Pleasant Church, Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9996. Also, petition of the pastor and 558 members of the Goler Memorial A. M. E. Zion Church, Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9997. Also, petition of the pastors of New Bethel Baptist, Mineral Springs Baptist, First Baptist, and Waighton Baptist Churches of Winston-Salem, N. C., totaling 2,811 members, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9998. Also, petition of 60 members of the First Baptist Church, Washington, D. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9999. Also, petition of Bishop John W. Wood, sixth Episcopal district, the A. M. Zion Conference, with a membership of 30,000, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day

of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10000. Also, petition of the pastor and 200 members of the West End Church, Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10001. Also, petition of the pastor and 1,150 members of the West End Methodist Church, Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10002. Also, petition of the pastor and 32 members of the United Holiness Church of America, Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10003. Also, petition of the pastor and 153 members of the Grace Presbyterian Church, of Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10004. Also, petition of the pastors, with a membership of 1,075, of four Christian Churches in Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10005. Also, petition of 31 citizens of Winston-Salem, N. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10006. Also, petition of the Lott Carey Baptist Foreign Missionary Convention of America, with a membership of 50,000, in session at Winston-Salem, N. C., on the 2d day of September, 1928, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford Sunday rest bill for the District of Columbia, or similar measures; to the Committee on the District of Columbia.

10007. Also, petition of the Ministers Alliance, with a membership of 10,000, in session at High Point, N. C., and bearing the signatures of the president, S. L. Parham, and secretary, Doctor Ashe, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10008. Also, petition of the West Durham Baptist Church, Durham, N. C., with 804 members present, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford Sunday rest bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10009. Also, petition of the Ministers' Alliance, with a membership of 11,000, bearing the signatures of the president, A. D. Avery, and the secretary, T. H. Halrston, in session at Greensboro, N. C., July, 1928, urging the enactment of legislation as provided in the Lankford Sunday rest bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10010. Also, petition of the Evangelical Holiness and Missionary Association, in session at Winston-Salem, N. C., with 500 present, unanimously urging you on behalf of the enactment of legislation to protect the people of our Nation's Capital, as provided in the Lankford bill (H. R. 78), or similar legislation; to the Committee on the District of Columbia.

10011. Also, petition of principal, faculty, and students of the high school, High Point, N. C., with 1,219 of the student body of 1,238 present, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10012. Also, petition of the Canal Furniture Co., High Point, N. C., and bearing the signature of the president, W. A. Carroll, numbering 2,000, on behalf of the passage of the Lankford Sunday rest bill for the District of Columbia, or similar measures; to the Committee on the District of Columbia.

10013. Also, petition of the members of Waughtown Baptist Church, located at Winston-Salem, N. C., with 139 members

present, on behalf of the passage of the Lankford Sunday rest bill for the District of Columbia, or similar measures; to the Committee on the District of Columbia.

10014. Also, petition of M. Ernest Welch, a realtor of State City, N. C., on behalf of the passage of the Lankford Sunday rest bill for the District of Columbia or similar measures; to the Committee on the District of Columbia.

10015. Also, petition of the First Presbyterian Church, High Point, N. C., with 500 members present, petitioning you on behalf of the passage of the Lankford Sunday rest bill for the District of Columbia or similar measures; to the Committee on the District of Columbia.

10016. Also, petition of the Duke Memorial Church, Durham, N. C., with 1,900 present, petitioning you on behalf of the passage of the Lankford Sunday rest bill for the District of Columbia or similar measures; to the Committee on the District of Columbia.

10017. Also, petition of the Frehsale-Highland Charge, Rev. E. M. Jones, pastor, with 1,000 members present, on behalf of the passage of the Lankford Sunday rest bill for the District of Columbia (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10018. Also, petition of 45 members of Ridgedale Presbyterian Church, South Bend, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10019. Also, petition of the Christian Church, Graham City, N. C., with 67 members present, petitioning you in behalf of the passage of the Lankford Sunday rest bill for the District of Columbia (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10020. Also, petition of the Methodist Episcopal Church, High Point, N. C., with 1,000 members present, urging the enactment into law of the Lankford Sunday rest bill for the District of Columbia (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10021. Also, petition of the members of First Baptist Church, of High Point, N. C., with 1,170 members present, petitioning you on behalf of the passage of the Lankford Sunday rest bill for the District of Columbia (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10022. Also, petition of the members of the Christian Church, at High Point, N. C., and submitted by Rev. L. N. McFarland, superintendent of North Carolina Friends, with 1,000 present, urging your help on behalf of the passage of the Lankford Sunday rest bill for the District of Columbia or similar measures; to the Committee on the District of Columbia.

10023. Also, petition of the Park Place Methodist Episcopal Church, Greensboro, N. C., with a membership of 590, petitioning you in behalf of the passage of the Lankford Sunday rest bill for the District of Columbia or similar measures; to the Committee on the District of Columbia.

10024. Also, petition of 31 members of the First Baptist Sunday School, Washington, D. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10025. Also, petition of 39 members of the Presbyterian Church, Warsaw, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10026. Also, petition of 33 members of Christian Church, Warsaw, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10027. Also, petition of 18 members of the Women's Christian Temperance Union, of Warsaw, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10028. Also, petition of First Church of Christ Scientist, Warsaw, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10029. Also, petition of 190 citizens of Warsaw, Ind., urging the enactment of legislation to protect the people of the Nation's

Capitol in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10030. Also, petition of 31 members of the North Winona Church of the Brethren, Winona Lake, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10031. Also, petition of 58 members of Methodist Church of Nappanee, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10032. Also, petition of 13 members of Methodist Church at Mentone, Ind., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10033. By Mr. LINDSAY: Petition of Luckenbach Steamship Co., protesting against Senate bill 1781, urging change to include coastwise steamers in its application, as exclusion of barges is a discrimination against steamer coastal transportation; to the Committee on the Merchant Marine and Fisheries.

10034. Also, petition of John Tracy, and Thomas J. Howard, New York City, protesting against Senate bill 1781, urging change to include coastwise steamers in its application, as exclusion of barges is a discrimination against steamer coastal transportation; to the Committee on the Merchant Marine and Fisheries.

10035. Also, petition of New York Band Instrument Co. (Inc.), protesting against passage of House bill 13452, as bringing serious consequences adversely affecting the entire talking-machine industry; to the Committee on Patents.

10036. By Mr. O'CONNELL: Petition of the New York Band Instrument Co. (Inc.), opposing the passage of House bill 13452; to the Committee on Patents.

10037. Also, petition of Thomas J. Howard, John Tracy, and the Luckenbach Steamship Co. of New York, opposing the passage of Senate bill 1781; to the Committee on the Merchant Marine and Fisheries.

10038. Also, petition of the New York State Fish, Game, and Forest League, favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

10039. Also, petition of the New York State Fish, Game, and Forest League, favoring the development of Camp Upton, Long Island, N. Y., into a fish and game refuge; to the Committee on Agriculture.

10040. Also, petition of the National Knitted Outerwear Association, New York City, opposing any partial revision which will unbalance the business outlook, substitute uncertainty for confidence, and result in postponing the general revision so necessary at this time; to the Committee on Ways and Means.

10041. By Mr. O'CONNOR of New York: Resolution adopted by the board of directors of the National Outerwear Association, January 18, 1929, urging an early extra session of Congress for the purpose of a general revision of the tariff; to the Committee on Ways and Means.

10042. By Mr. PORTER: Petition of 33 citizens of Allegheny County, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10043. Also, petition of 27 citizens of the thirty-second district of Pennsylvania, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford Sunday rest bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10044. Also, petition of 30 citizens of the thirty-second congressional district of Pennsylvania, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10045. Also, petition of the Women's Christian Temperance Union of Allegheny County, Pa., with about 1,000 members, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10046. Also, petition of 78 citizens of Allegheny and Washington Counties, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10047. By Mr. SCHAFER: Petition of 150 members of Wauwatosa Evangelical Church, Wauwatosa, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10048. Also, petition of 325 members of United Presbyterian Church, West Allis, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10049. Also, petition of 52 members of Greenfield Presbyterian Church of West Allis, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10050. Also, petition of 65 members of the Willard Woman's Christian Temperance Union, Milwaukee, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

10051. By Mr. SINCLAIR: Petition of C. E. Grasser, of Epping, N. Dak., and 213 others, protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

10052. By Mr. STRONG of Pennsylvania: Petition of citizens of Armstrong and Jefferson Counties, Pa., opposed to any change in the present tariff on hides and leather used in the manufacture of shoes; to the Committee on Ways and Means.

10053. By Mr. THOMPSON: Memorial of 35 citizens of Montpelier, Ohio, opposing any change in the present tariff on hides and leather used in the manufacture of shoes; to the Committee on Ways and Means.

10054. By Mr. WHITEHEAD: Petition of 34 citizens of Charlotte County, Va., requesting the enactment of House bill 14144, proposing to grant equipment allowance to third-class postmasters; to the Committee on the Post Office and Post Roads.

10055. By Mr. WHITTINGTON: Petition of A. B. Wiggins, president of board of supervisors of Bolivar County, Miss., for amendment of migratory game law to extend open season on ducks and geese; to the Committee on Agriculture.

10056. Also, petition of W. L. Hines and others, for legislation in aid of drainage district; to the Committee on Reclamation and Irrigation.

10057. Also, petition of M. Black and others, with relation to tariff on hides and leather; to the Committee on Ways and Means.

10058. By Mr. WINTER: Petition of Veteran Presbyterian Church, representing a membership of 75, at Veteran, Wyo., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10059. Also, petition of 15 members of the Community House, Veteran, Wyo., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

10060. By Mr. WYANT: Petition of Westmoreland County Rural Letter Carriers' Association, favoring passage of Dale-Lehbach retirement bill; to the Committee on the Civil Service.

10061. Also, petition of Izaak Walton League of America, Pittsburgh Chapter, No. 13, of Pennsylvania, favoring passage of Norbeck bird conservation bill (S. 1271; H. R. 5457); to the Committee on Agriculture.

10062. Also, petition of Audubon Society of Western Pennsylvania, Alva K. Held, secretary, favoring passage of Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

10063. Also, petition of Scranton Bird Club, favoring passage of Norbeck-Andresen game refuge bill; to the Committee on Agriculture.

10064. Also, petition of citizens of Pennsylvania, favoring passage of Norbeck bird conservation bill (S. 1271); to the Committee on Agriculture.